



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Special Use Permit for Property Located on the North Side of Holts Chapel Road Between East Market Street and East Camel Street

Department:	Planning Department	Current Date:	June 7, 2006
Contact 1:	Richard Hails	Public Hearing:	June 20, 2006
Phone:	373-2922	Advertising Date:	June 1 and 8, 2006
Contact 2:	Bill Ruska	Advertised By:	City Clerk
Phone:	373-2748	Authorized Signature:	<i>RWHails</i>
Attachments:	Attachment A: Vicinity Map (PL(Z) 06-36) Attachment B: Minutes of May 8, 2006 Zoning Commission Meeting Attachment C: Zoning Staff Report		

**PURPOSE:**

Continental Company, LLC applied for a Special Use Permit for a Salvage Yard, Scrap Processing Facility in a Heavy Industrial District for property located on the north side of Holts Chapel Road between East Market Street and East Camel Street. The Zoning Commission considered this application on May 8, 2006. The City Council will conduct a public hearing to consider this application.

**BACKGROUND:**

The Zoning Commission voted 6 to 3 to approve the proposed Special Use Permit request. Harvey Gordon appealed this decision to the City Council.

There were two speakers in favor of and five speakers in opposition to this proposal (see Attachment B: Minutes of May 8, 2006 Zoning Commission Meeting).

This Special Use Permit application contains the following conditions:

- 1) Applicant shall install and/or maintain an evergreen screen (i.e. Leland Cypress trees) at a planting rate of not less than Type A around the subject property except where the property abuts a railroad right of way or other property owned by Applicant.
- 2) Applicant shall implement and maintain dust control measures, such as frequent watering of the subject property, to control dust as necessary but in any event an average of not less frequently than every 72 hours.
- 3) Applicant shall install and maintain a concrete driveway with catch basin to control water runoff at the subject property.
- 4) Applicant shall install and maintain in good condition gravel and/or asphalt along the main travel areas of the subject property.
- 5) Applicant shall implement street cleaning measures in front of the subject property to maintain the street in reasonably clean condition.
- 6) Any exterior lighting on the subject property shall be directed away from adjoining properties.
- 7) Any materials received on the subject property shall be recycled or processed and removed from the subject property within 90 days after delivery. Applicant shall make available for inspection by City of Greensboro at reasonable times Applicant's books and records to confirm timing of processing of materials at the subject property.

Agenda Item: 6

A vicinity map of the proposed Special Use Permit is attached along with a copy of the Zoning Staff Report.

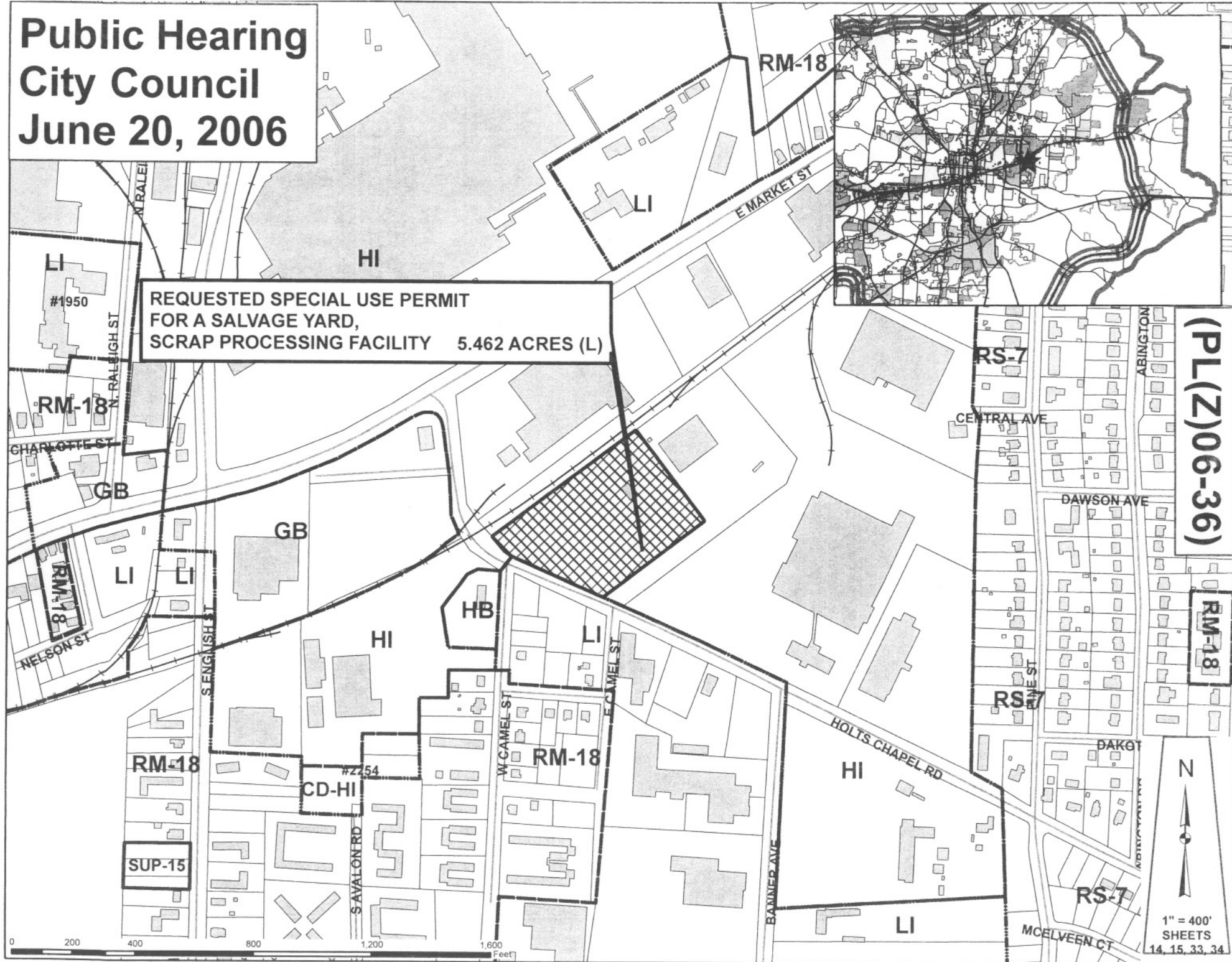
**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends denial of the ordinance.



# Public Hearing City Council June 20, 2006

REQUESTED SPECIAL USE PERMIT  
FOR A SALVAGE YARD,  
SCRAP PROCESSING FACILITY 5.462 ACRES (L)



(PL(Z)06-36)

RM-18



1" = 400'  
SHEETS  
14, 15, 33, 34

## **ATTACHMENT B**

### **MINUTES OF MAY 8, 2006 ZONING COMMISSION MEETING (PL(Z) 06-36)**

Mr. Ruska presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Marc Isaacson, Esq., 101 West Friendly Avenue, previously sworn or affirmed, handed up materials for the Commission's consideration. He represents Continental Company, LLC, as well as the operator at the property, which is Salvage America, Inc. He went over the contents of the materials handed to the Commission. Staff mentions in their report that not all of the information needed was on their plan. They respectfully disagreed. The Certificate of Compliance was issued in May of 2005. About a month later, the North Carolina Department of Environment and Natural Resources (DENR) issued its permit as shown in the handout and it is an extensive document. These documents will show that this did not come easily. He gave some of the criteria for the DENR permit. This allows them to operate what they are doing there right now. He explained the essential parts of the business. No hazardous materials are accepted. He also went through the findings of fact that the Commission must make in order to approve this request. He described the surrounding businesses or institutional use and said none of these felt this facility would do harm to them. He submitted that the Comp Plan supports, with the conditions, that this type of use be permitted in our industrial areas. They had a neighborhood meeting at which about 50 neighbors were present. After he and Mr. Triolo left, he understood they took a vote that was about 50/50 - half in favor and half not in favor.

Chris Triolo, Salvage America, 3002 Holts Chapel Road, previously sworn or affirmed, answered a question posed by Chair Wolf. He said the percentage of recycling would fluxuate as to what they get in, but it has averaged over 50 percent of what comes in that they have recycled or reused. They do not sell any salvage on a retail basis, except to contractors.

Mr. Hails reminded the Commission that the debate of what the ordinance says went to the Board of Adjustment. If they were successful in that, there would not be a Use Permit in front of you today. The Special Use Permit is related to compatibility of uses and on this salvage yard-scrap processing use, the request is whether as proposed on this site with the conditions attached to it in this location, and the surrounding land uses, that is appropriate for this location or not.

Harvey Gordon, 9 Province Court, previously sworn or affirmed, spoke in opposition to this request. He read into the record the comments and recommendations of the staff

report.

Mr. Harvey then listed other objections that he had to this request.

The following persons, sworn or affirmed, spoke briefly in opposition to this request: Donald Fentress; Lewis Barber, 2526 E. Market Street; George Durham, 219 Camel Street; and Chris Thompson, 3809 Holt's Chapel Road. Their oppositions were based upon:

- Noise.
- Dust.
- Rodents.
- Ground water contamination.
- Air contamination.

In rebuttal for the applicant, Mr. Isaacson and Mr. Triolo spoke to the concerns voiced by the neighbors. They felt the conditions placed on this request would do much to control or mitigate the impact of this operation. They could surround the property in Leyland Cypress trees, if needed. DENR is certainly not a policing agency, but it did require official statements about wetland, historical property, etc. This facility would not add that much noise to the daily trains and other trucks coming and going to other facilities in the area. More than 99 percent of the materials accepted come from the Guilford County area. There are wells on the property that are monitored on a semi-annual basis.

Harvey Gorden and George Durham spoke in rebuttal for the opponents. The law is clear that wood waste from pressure treated lumber cannot be shredded. They are releasing potentially toxic dust into the surrounding area and behind the business across the street are residential areas. They pointed out the findings of fact that the Commission had to find in order to grant this Special Use Permit. If the Special Use Permit is granted, the Commission was asked to put stipulations on it for the neighborhood.

Chair Wolf closed the public hearing.

Mr. Hails said a portion of the staff report noted that East Market Street is a reinvestment corridor. This older commercial corridor would benefit from significant public and private investment, enhance its economic viability and strengthen adjacent neighborhoods. Staff does not believe that a salvage and scrap yard at this location would help achieve Comp Plan goals for this corridor. In addition, there are other sections of the plan stating things such as a key principal of the Comp Plan is to promote economic development in historically underserved parts of the City, such as East Greensboro. It also talks about trying to promote higher technology development zones for the economic development for these areas. Operation of this facility has had hazardous impacts, such as truck traffic, outdoor storage, noise and dust and the visual impact on surrounding properties. Staff believes that such a land use belongs in a more remote location where other uses are not in such close proximity. He noted on the GFLUM there are at least 10 locations around the City that are designated for industrial corporate park uses. Some of those areas are very large and far from designated residential areas. As a result, staff does

not believe that the finding can be made that this use will not substantially injure the value of adjoining or abutting properties. Furthermore, staff believes the location and character of this use will not be in harmony with the area in which it is located, and will not be in general conformity with the plan of development of the City. Because of those reasons, staff recommends denial of the Special Use Permit.

The Commissioners then discussed the request. The question was raised, "Where else would it go in Greensboro in HI where you would have businesses saying the same thing?" It was also mentioned that somebody had to approve the company going there. This area has been heavy industrial since 1992. One Commissioner pointed out the location of D.H. Griffin and said a salvage yard on this side of town would be just as good as where D.H. Griffin is. Another Commissioner said HI was where this business belongs. Other Commissioners voiced their objection to this being so close to residential. It was pointed out that one of the opponents was president of the East Market Street Merchants' Association and spoke on behalf of the Association. Another Commissioner felt the close proximity to this site by residential was not desirable.

Mr. Gilmer moved that the ordinance granting a Special Use Permit for the use of this property for a salvage yard, scrap processing facility, be denied based on the following findings of fact: the use will substantially injure the value of the adjoining or abutting property because of the adverse impact of heavy duty truck traffic, significant outside storage of scrap metal, noise and dust. Mr. Wright seconded the motion. The Commission voted 3-6 in favor of the motion. (Ayes: Wolf, Gilmer, Wright. Ayes: Collins, Matheny, Miller, Schneider, Shipman, Spangler.)

Chair Wolf said the motion fails on a vote of 3 to 6.

Mr. Ruska reminded Chair Wolf that a motion was also needed in regard to the Comp Plan.

Ms. Shipman said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located on the north side of Holts Chapel Road, for a Special Use Permit for a Salvage Yard, Scrap Processing Facility, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the Industrial/Corporate Park land use category indicated for this site on the Connections 2025 Generalized Future Land Use Map; and it does implement measures to protect neighborhoods from potential negative impacts of developments that are inconsistent with the neighborhood's livability and reinvestment potential. Ms. Miller seconded the motion. The Commission voted 6-3 in favor of the motion. (Ayes: Collins, Matheny, Miller, Schneider, Shipman, Spangler. Nays: Wolf, Gilmer, Wright.)

Mr. Schneider moved that the ordinance granting Special Use Permit for the use of this property for a Salvage Yard, Scrap Processing Facility be approved, based on the following findings of fact: the use will not materially endanger the public health or safety if located where proposed because it is located in a corporate park and heavy industrial

area and with the conditions imposed on the application for the Special Use Permit, this should negate any outside substances; that the use will meet the restrictions imposed by the applicant which state that they will only accept the certain items that are under the auspices of the Special Use Permit; the use will not substantially injure the value of adjoining or abutting property because it will be buffered and anything that might mitigate that is covered with the conditions; and the location and character of the use will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because it is already a heavy industrial area. Mr. Matheny seconded the motion. The Commission voted 6-3 in favor of the motion. (Ayes: Collins, Matheny, Miller, Schneider, Shipman, Spangler. Nays: Wolf, Gilmer, Wright.)

**Attachment C  
(PL(Z) 06-36)**

**City of Greensboro Planning Department  
Zoning Staff Report  
May 8, 2006 Public Hearing**

*The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.*

**Item:** L

**Location:** 3001 Holts Chapel Road (North side of Holts Chapel Road between East Market Street and East Camel Street)

**Applicant:** Continental Company, LLC

**Owner:** Continental Company, LLC

**For:** Special Use Permit for a Salvage Yard, Scrap Processing Facility

- Conditions:**
- 1) Applicant shall install and/or maintain an evergreen screen (i.e. Leland Cypress trees) at a planting rate of not less than Type A around the subject property except where the property abuts a railroad right of way or other property owned by Applicant.
  - 2) Applicant shall implement and maintain dust control measures, such as frequent watering of the subject property, to control dust as necessary but in any event an average of not less frequently than every 72 hours.
  - 3) Applicant shall install and maintain a concrete driveway with catch basin to control water runoff at the subject property.
  - 4) Applicant shall install and maintain in good condition gravel and/or asphalt along the main travel areas of the subject property.
  - 5) Applicant shall implement street cleaning measures in front of the subject property to maintain the street in reasonably clean condition.
  - 6) Any exterior lighting on the subject property shall be directed away from adjoining properties.
  - 7) Any materials received on the subject property shall be recycled or processed and removed from the subject property within 90 days after delivery. Applicant shall make available for inspection by City of Greensboro at reasonable times Applicant's books and records to confirm timing of processing of materials at the subject property.



SITE INFORMATION	
Maximum Developable Units	N/A
Net Density	N/A
Existing Land Use	Salvage Yard (Scrap Processing Facility)
Acreage	5.462
Physical Characteristics	Topography: Generally flat Vegetation: N/A Other: N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Industrial/Corporate Park
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
North	Vacant Office-Warehouse (Some Small Industrial Uses)	HI
South	AFRC, Inc. / University Storage	HB / HI
East	Vacant Office-Warehouse (2)	HI
West	Paper Stock Dealers	HI

ZONING HISTORY		
Case #	Year	Request Summary
		This property has been zoned Heavy Industrial since July 1, 1992. Prior to the implementation of the UDO, it was zoned Industrial H.

HI ZONING DISTRICT
HI: Primarily intended to accommodate a wide range of assembling, fabricating, and manufacturing activities. The district is established for the purpose of providing appropriate locations and development regulations for uses which may have significant environmental impacts or require special measures to ensure compatibility with adjoining properties.
:

TRANSPORTATION	
Street Classification	Holts Chapel Road – Minor Thoroughfare.
Site Access	Existing.
Traffic Counts	Holts Chapel Road ADT = 5000.
Trip Generation	N/A.
Sidewalks	N/A.
Transit	Yes.
Traffic Impact Study	Not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

ENVIRONMENTAL REVIEW	
<b>Water Supply Watershed</b>	No, site drains to North Buffalo
<b>Floodplains</b>	N/A
<b>Streams</b>	N/A
<b>Other</b>	N/A

LANDSCAPING REQUIREMENTS	
<b>Location</b>	<b>Required Planting Yard Type and Rate</b>
<i>North</i>	N/A
<i>South</i>	N/A
<i>East</i>	N/A
<i>West</i>	N/A

## CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

### Connections 2025 Written Policies:

N/A

### Connections 2025 Map Policies:

*The area requested for rezoning lies within the following map classifications:*

Industrial/Corporate Park. This designation applies to areas where present or anticipated uses include both light and heavy industrial uses, such as manufacturing, assembly, and fabrication; wholesaling and distribution; and corporate office and technology parks, which may be introduced to replace older heavy industrial uses. Although new residential development is discouraged in areas designated for this land use category, pre-existing residential uses may be present in or adjacent to these areas. As established industrial areas redevelop, such residential, institutional, or similar uses should be protected from adverse impacts (heavy truck traffic, significant outside storage, factors such as noise, dust, and glare, etc.) through performance-based standards, buffers, and proper separation from noxious uses.

## CONFORMITY WITH OTHER PLANS

*The following aspects of relevant plans may be applicable in this case:*

**City Plans:** N/A

**Other Plans:** N/A

## STAFF COMMENTS

**Planning:** Salvage America, Inc. is the leasee of this property. On February 8, 2005 Greensboro's Technical Review Committee approved a site plan for this property which indicated that the property would be developed as a Recycling Transfer Center. There was not enough information on the plan to indicate that the property would actually be used as salvage and scrap yard. If this information had been disclosed at that time, then the procedure would



have been to inform Salvage America, Inc. that a Special Use Permit was required to conduct such a business in a Heavy Industrial District.

On July 21, 2005 a Notice of Violation was issued for operating a salvage and scrap yard at this location without a Special Use Permit. The applicant was instructed to cease operation and obtain a Special Use Permit.

On August 5, 2005 Salvage America, Inc. appealed this Notice of Violation to the Greensboro Board of Adjustment and requested that the Zoning Administrator's interpretation of this land use be overruled.

The Board of Adjustment held a hearing on this matter on September 26, 2005 and, after weighing the evidence, voted 6 to 1 to uphold the Zoning Administrator's interpretation of this land use, i.e. that it was indeed a salvage and scrap yard and that a Special Use Permit was necessary to operate this business at this location.

East Market Street is a Reinvestment Corridor which is described as an older commercial corridor that would benefit from significant public and private investment to enhance its economic viability and strengthen adjacent neighborhoods. Staff does not believe that a salvage and scrap yard at this location would help achieve Comprehensive Plan goals for this Reinvestment Corridor.

Operation of this facility has had adverse impacts from heavy truck traffic, significant outside storage of scrap materials, noise and dust on surrounding properties and is aesthetically out of character with adjacent land uses. Such a land use belongs in a more isolated or remote location that being in such close proximity to the East Market Street corridor.

As a result, Staff does not believe that the finding can be made that this use will not substantially injure the value of adjoining or abutting property. Furthermore, staff believes that the location and character of this use will not be in harmony with the area in which it is to be located and it will not be in general conformity with the plan of development of the City.

**GDOT:** No additional comments.

**Water Resources:** An appropriately sized drainage easement is required on all channels carrying public runoff (size dependent on amount of flow carried in channel).

### **STAFF RECOMMENDATION**

Based on all the information contained in this report, the Planning Department recommends denial.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** : Ordinance annexing territory to the corporate limits –1.01 acres at 4901 Lake Jeanette Road

Department:	Planning	Current Date:	7/6/06
Contact 1:	Alec MacIntosh	Public Hearing:	Yes, at the 7/18/06 Council Meeting
Phone:	373-2747	Advertising Date:	
Contact 2:	Dick Hails	Advertised By:	
Phone:	373-2922	Authorized Signature:	<i>R. Hails</i>
Attachments:	Attachment A: "PL(P)06-19" map		

**PURPOSE:**

The executrix of the estate of Gerald L. Owen has petitioned the City for annexation of its property located at 4901 Lake Jeanette Road. In order to consider the annexation covered by this petition, the City Council must set a public hearing.

**BACKGROUND:**

This property is surrounded by the primary city limits.

It is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan.

This lot now holds a single family house but is proposed to be zoned for 7-8 condos or townhouses.

There is a 24-inch water line in the street, and an 8-inch sewer line is to be extended to the property in conjunction with Lake Jeanette Road improvements.

Fire service can be provided with low difficulty. The Police Department estimates very minor impact. Other City services can be provided in a manner similar to their provision to the previously-annexed houses nearby.

Payment of an acreage fee of two hundred dollars (\$200) per acre for water service and two hundred dollars (\$200) per acre for sewer service accompanied the annexation petition. "Any utility assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located in the City of Greensboro."

**BUDGET IMPACT:**

Initial service will be absorbed in the budget, but future service will have an incremental effect on future budgets.

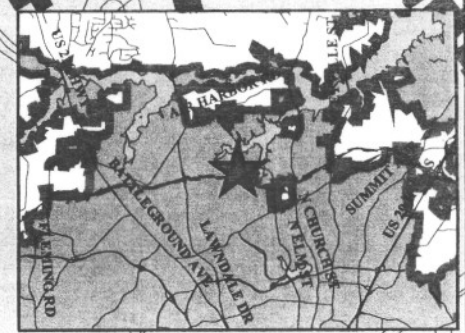
**RECOMMENDATION / ACTION REQUESTED:**

The Technical Review Committee (TRC) recommended this annexation to the Planning Board and to City Council. The Planning Board recommended this annexation at its April meeting on a vote of 6-0.

CITY COUNCIL  
July 18, 2006

WARM SPRINGS PT

# ATTACHMENT A



PL(P)06-19

PROPOSED ANNEXATION  
4901 Lake Jeanette Rd  
Tax Map: ACL 6-352-703-08  
1.01 Acres

TOWNE RIDGE CT

CHapel Rd

N ELM ST

PRESTBURY DR

ROBERSON COMER RD



1"=300'  
SHEET  
232



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Establishment of Original Zoning for Property Located on the Northwest Side of Lake Jeanette Road Between Roberson Comer Road and Bass Chapel Road

Department:	Planning Department	Current Date:	June 27, 2006
Contact 1:	Richard Hails	Public Hearing:	July 18, 2006
Phone:	373-2922	Advertising Date:	June 29 and July 6, 2006
Contact 2:	Bill Ruska	Advertised By:	City Clerk
Phone:	373-2748	Authorized Signature:	<i>RWHails</i>

Attachments: Attachment A: Vicinity Map (PL(Z) 06-37)  
Attachment B: Minutes of June 12, 2006 Zoning Commission Meeting  
Attachment C: Zoning Staff Report

**PURPOSE:**

The Estate of Gerald L. Owen by Teresa L. Mortemore applied for the establishment of original zoning from County Zoning Agricultural to City Zoning Conditional District – RM-8 Residential Multifamily for property located on the northwest side of Lake Jeanette Road between Roberson Comer Road and Bass Chapel Road. The Zoning Commission considered this application on June 12, 2006. The City Council will conduct a public hearing to consider this application.

**BACKGROUND:**

The Zoning Commission voted 8 to 0 to recommend approval of this request.

There was one speaker in favor of and no speakers in opposition to this proposal (see Attachment B: Minutes of June 12, 2006 Zoning Commission Meeting).

This Conditional District – RM-8 original zoning application contains the following conditions:

- 1) Uses limited to townhouses or condominiums for sale.
- 2) No structure shall exceed 3 above ground stories in height.

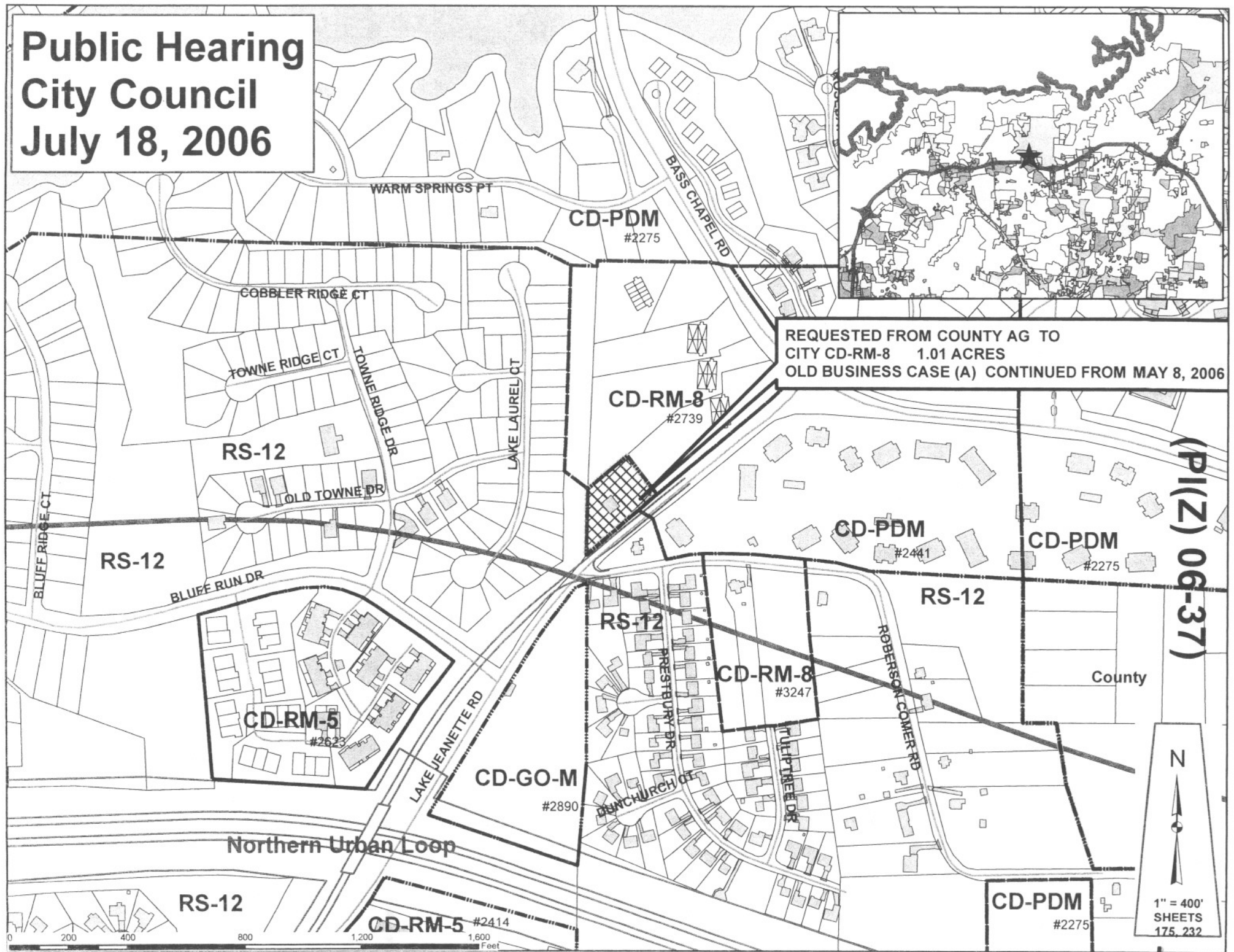
A vicinity map of the proposed original zoning is attached along with a copy of the Zoning Staff Report.

**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends approval of the ordinance.



# Public Hearing City Council July 18, 2006



## **ATTACHMENT B**

### **MINUTES OF JUNE 12, 2006 ZONING COMMISSION MEETING (PL(Z) 06-37)**

Mr. Ruska presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Robert Byrd, 5811 Fleming Terrace Road, said he had purchased this property since making this request. When conferring with staff about annexation and changing in zoning, he decided the proposed zoning would be best suited for this property since it backs up to the same type of zoning.

There was no one else wishing to speak to this request. Chair Wolf closed the public hearing.

Mr. Ruska said this request was in the Tier 1 Growth Area. It is a donut hole that is completely surrounded by City limits. The zoning proposed is compatible with what exists to the north and to the east. It is consistent with the moderate residential zoning classification on the GFLUM. The Planning staff recommends approval of this request.

Mr. Gilmer said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located on Lake Jeanette Road from County AG to City CD-RM-8, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the Moderate Residential land use category indicated for this site on the Connections 2025 Generalized Future Land Use Map; it promotes compact development (Policy 4G.1); and it promotes mixed-income neighborhoods (Policy 6A.2). Mr. Shipman seconded the motion. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)

**Attachment C  
(PL(Z) 06-37)**

**City of Greensboro Planning Department  
Zoning Staff Report  
June 12, 2006 Public Hearing**

*The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.*

**Item:** A – Old Business  
**Location:** 4901 Lake Jeanette Road

**Applicant:** Teresa L. Mortemore  
**Owner:** Estate of Gerald L. Owen

**From:** County AG  
**To:** City CD-RM-8

**Conditions:** 1) Limited to townhomes or condominiums for sale.  
2) No structure shall exceed 3 above ground stories in height.

SITE INFORMATION	
<b>Maximum Developable Units</b>	8
<b>Net Density</b>	7.9 dwelling units per acre
<b>Existing Land Use</b>	Single Family Residential
<b>Acreage</b>	1.01
<b>Physical Characteristics</b>	<i>Topography:</i> Generally flat <i>Vegetation:</i> Some mature trees <i>Other:</i> N/A
<b>Overlay Districts</b>	N/A
<b>Historic District/Resources</b>	N/A
<b>Generalized Future Land Use</b>	Moderate Residential
<b>Other</b>	N/A

SURROUNDING ZONING AND LAND USE		
<b>Location</b>	<b>Land Use</b>	<b>Zoning</b>
<i>North</i>	The Gables at the Grande	CD-RM-8
<i>South</i>	Single Family Residential	RS-12
<i>East</i>	Waterford Apartments	CD-PDM
<i>West</i>	Single Family Residential	RS-12



ZONING HISTORY		
Case #	Year	Request Summary
N/A		

DIFFERENCES BETWEEN AG (EXISTING) AND CD-RM-8 (PROPOSED) ZONING DISTRICTS
<b>AG:</b> Primarily intended to accommodate uses of an agricultural nature including farm residences and farm tenant housing. It also accommodates scattered nonfarm residences on large tracts of land. It is not intended for major residential subdivisions.
<b>CD-RM-8:</b> Primarily intended to accommodate duplexes, twin homes, townhouses, cluster housing, and similar residential uses at a density of 8.0 units per acre or less. See Conditions for use limitation and additional restriction.

TRANSPORTATION	
<b>Street Classification</b>	Lake Jeanette Road – Minor Thoroughfare.
<b>Site Access</b>	A maximum of one access point will be approved and must meet the City of Greensboro Driveway Standards per Ordinance.
<b>Traffic Counts</b>	Lake Jeanette Road ADT = 7,000.
<b>Trip Generation</b>	N/A.
<b>Sidewalks</b>	Requirement per Development Ordinance. A 6' sidewalk w/ a 4' grass strip is required along both sides of thoroughfares. A 5' sidewalk w/ a 3' grass strip is required along all other streets.
<b>Transit</b>	No.
<b>Traffic Impact Study</b>	Not required per TIS Ordinance.
<b>Street Connectivity</b>	N/A.
<b>Other</b>	N/A.

ENVIRONMENTAL REVIEW	
<b>Water Supply Watershed</b>	Yes, Site drains to Greensboro watershed WS III
<b>Floodplains</b>	N/A
<b>Streams</b>	N/A
<b>Other</b>	Maximum BUA allowed is 70% of site acreage (High Density option). All existing and proposed BUA must drain and be treated by a State approved BMP.

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
North	Type D Yard - 5' avg. width; 2 understory/100', 18 shrubs/100'
South	Street Yard - 8' avg. width; 2 canopy/100', 4 understory/100', 17shrubs/100'
East	Type D Yard - 5' avg. width; 2 understory/100', 18 shrubs/100'
West	Type C Yard - 20' avg. width; 2 canopy/100'; 3 understory/100', 17 shrubs/100'

## CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

### Connections 2025 Written Policies:

Growth at the Fringe Goal: Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

POLICY 4G.1: Promote compact development.

Housing and Neighborhoods Goal: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

POLICY 6A.2: Promote mixed-income neighborhoods.

POLICY 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

POLICY 9A.5: Continue to link City-initiated annexations and approvals of annexation petitions for water/sewer extension policies regarding designated growth areas.

### Connections 2025 Map Policies:

*The area requested for rezoning lies within the following map classifications:*

Moderate Residential (6-12 d.u./acre): This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

## CONFORMITY WITH OTHER PLANS

*The following aspects of relevant plans may be applicable in this case:*

**City Plans:** N/A

**Other Plans:** N/A

## STAFF COMMENTS

**Planning:** This lot became an island of County property when surrounding tracts for the Lake Jeanette planned unit development and The Gables at the Grande were requested for annexation by the respective property owners. It has retained its County zoning designation of Agricultural to this day.

This property is within the Tier One (Current Growth Area) as shown on the Growth Strategy Map of Connections 2025.

There is a 24-inch water line in the street along the property frontage. There is no sewer line alongside this property at present. However, a sewer line to it has been authorized to be extended by the City in conjunction with Lake Jeanette Road widening.

This property is less than a quarter mile from a fire station and the Police Department estimates very minor impact on its service provision. Other City services can be provided in a manner similar to their provision to the previously-annexed properties nearby.

CD-RM-8 zoning is compatible with the zoning pattern to the north and east of this lot. Multifamily development is consistent with the Waterford Place apartments to the south and east, as well.

This request is consistent with the Moderate Residential land use classification on the Generalized Future Land Use Map.

This request is also consistent with the Housing and Neighborhoods Goal of Connection 2025 and it addresses comprehensive plan policies of promoting compact development, promoting diversification of new housing stock, and promoting mixed-income neighborhoods.

**GDOT:** No additional comments.

**Water Resources:** No additional comments.

### **STAFF RECOMMENDATION**

Based on all the information contained in this report, the Planning Department recommends approval.

RECEIVED

CITY CLERK  
7-06-06

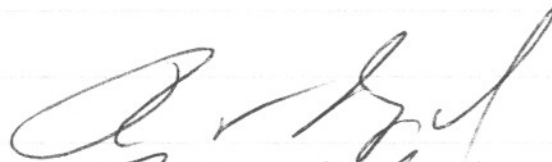
JUL 6 2006

Legislative Department  
from Ben Woody

I would like to withdraw the zoning  
case scheduled to be heard by city  
council on 7-18-06 (4901 LAKE JEANNETTE RD)

Due to a density error, I plan to  
refile for CD-RM-12 zoning.

Thanks for your consideration

  
ROGER D. BYRD  
PO Box 9277  
Greensboro NC 27429

Property owner

Copy: Council  
Managers  
Dick Hails  
City Attorney



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** TITLE: Ordinance annexing territory to the corporate limits – 97.90 acres at Grandover development

Department:	Planning	Current Date:	7/6/06
Contact 1:	Alec MacIntosh	Public Hearing:	Yes, at 7/18/06 Council Meeting
Phone:	373-2747	Advertising Date:	
Contact 2:	Dick Hails	Advertised By:	
Phone:	373-2922	Authorized Signature:	<i>Dick Hails</i>
Attachments:	Attachment A: "PL(P)06-25" map		

**PURPOSE:**

Koury Corporation has petitioned the City for annexation of seven pieces of property located at the Grandover development. In order to consider the annexation covered by this petition, the City Council must set a public hearing.

**BACKGROUND:**

Each of the properties covered by this satellite annexation petition adjoins previous satellite annexations in Grandover. All the property is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan.

This is the twenty-eighth petition received in the Grandover development. The total area covered by previous petitions is 697.98 acres. With this request, the cumulative total becomes 795.88 acres.

City water and sewer lines have been installed nearby to each of these pieces of property. Other City services can be provided in a manner similar to their provision to the previous satellite annexations nearby.

Payment of an acreage fee of two hundred dollars (\$200) per acre for water service and two hundred dollars (\$200) per acre for sewer service accompanied the annexation petition. "Any utility assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located in the City of Greensboro."

"The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense."

**BUDGET IMPACT:**

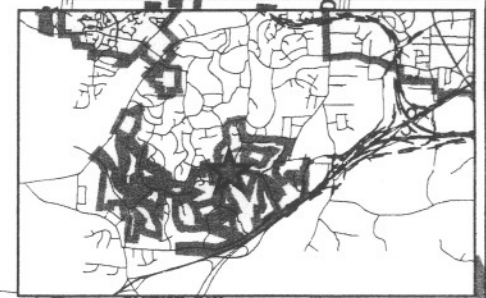
Initial service will be absorbed in the budget, but future service will have an incremental effect on future budgets.

**RECOMMENDATION / ACTION REQUESTED:**

The Planning Board made a blanket recommendation in 1993 for approval of all future annexation petitions at Grandover.

# ATTACHMENT A

CITY COUNCIL  
July 18, 2006



PROPOSED ANNEXATION  
Griffin's Gate @ Grandover  
Tax Map: ACL 91-6805-820-10  
21.17 Acres

PL(P)06-25A

1"=300'  
SHEET  
209

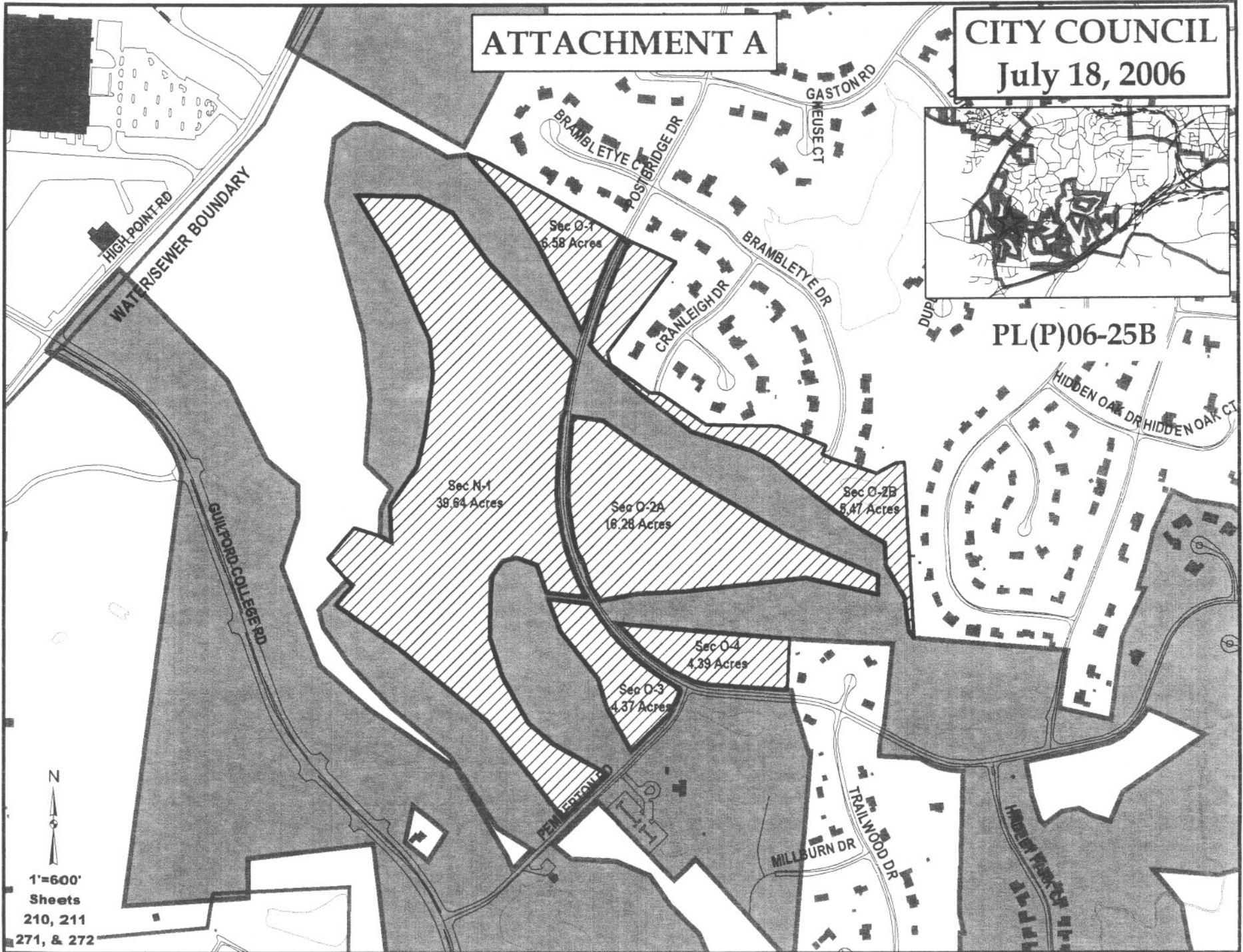


# ATTACHMENT A

CITY COUNCIL  
July 18, 2006



PL(P)06-25B



1"=600'

Sheets

210, 211

271, & 272





City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Connections 2025 Comprehensive Plan Generalized Future Land Use Map Amendment

Department:	Planning	Current Date:	June 28, 2006
Contact 1:	Heidi Galanti	Public Hearing:	July 18, 2006
Phone:	574-3576	Advertising Date:	June 29 and July 6, 2006
Contact 2:	Bill Ruska	Advertised By:	City Clerk
Phone:	373-2748	Authorized Signature:	<i>PWHair</i>
Attachments:			
Attachment A: Map of the Comprehensive Plan amendment			
Attachment B: A copy of the staff report for the Comprehensive Plan amendment and rezoning request			
The staff report is provided in this packet for the Comprehensive Plan amendment CP-06-15 and the rezoning request PL(Z)06-38.			

**PURPOSE:**

David R. Caudle, applied for an amendment to the *Connections 2025 Comprehensive Plan* Generalized Future Land Use Map (Figure 4-2) from the Low Residential to the Moderate Residential land use classification for a portion of the property located on the west side of Irwin Street opposite the intersection with Sharon Avenue.

The City Council will conduct a public hearing to receive public comment and consider action on this amendment.

**BACKGROUND:**

This request for a Connections 2025 Generalized Future Land Use Map amendment is directly related to a rezoning request for this same area. See attachments for more information.

**BUDGET IMPACT:**

N/A

**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends approval of this ordinance.

Public Hearing  
City Council  
July 18, 2006

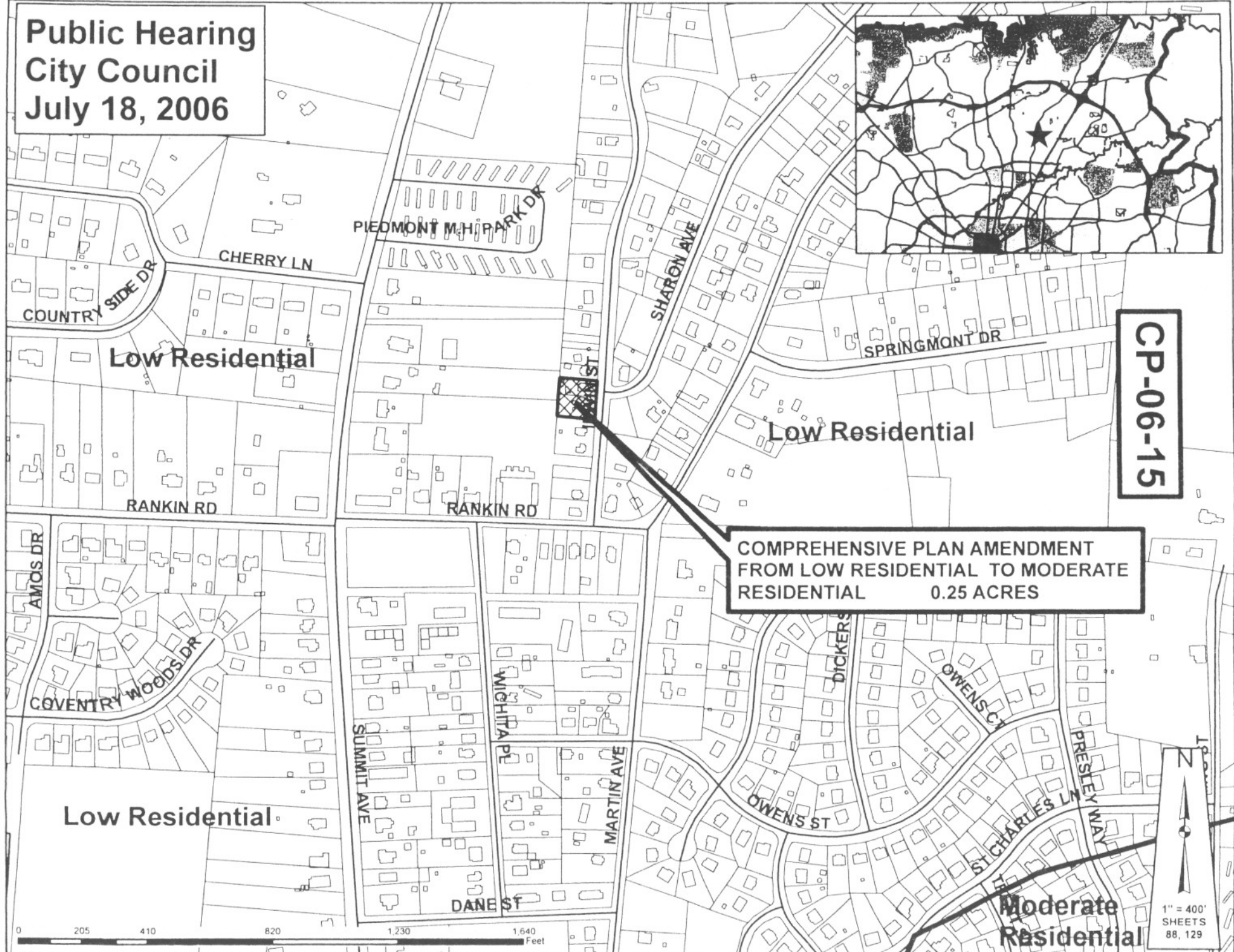


CP-06-15

COMPREHENSIVE PLAN AMENDMENT  
FROM LOW RESIDENTIAL TO MODERATE  
RESIDENTIAL 0.25 ACRES



1" = 400'  
SHEETS  
88, 129



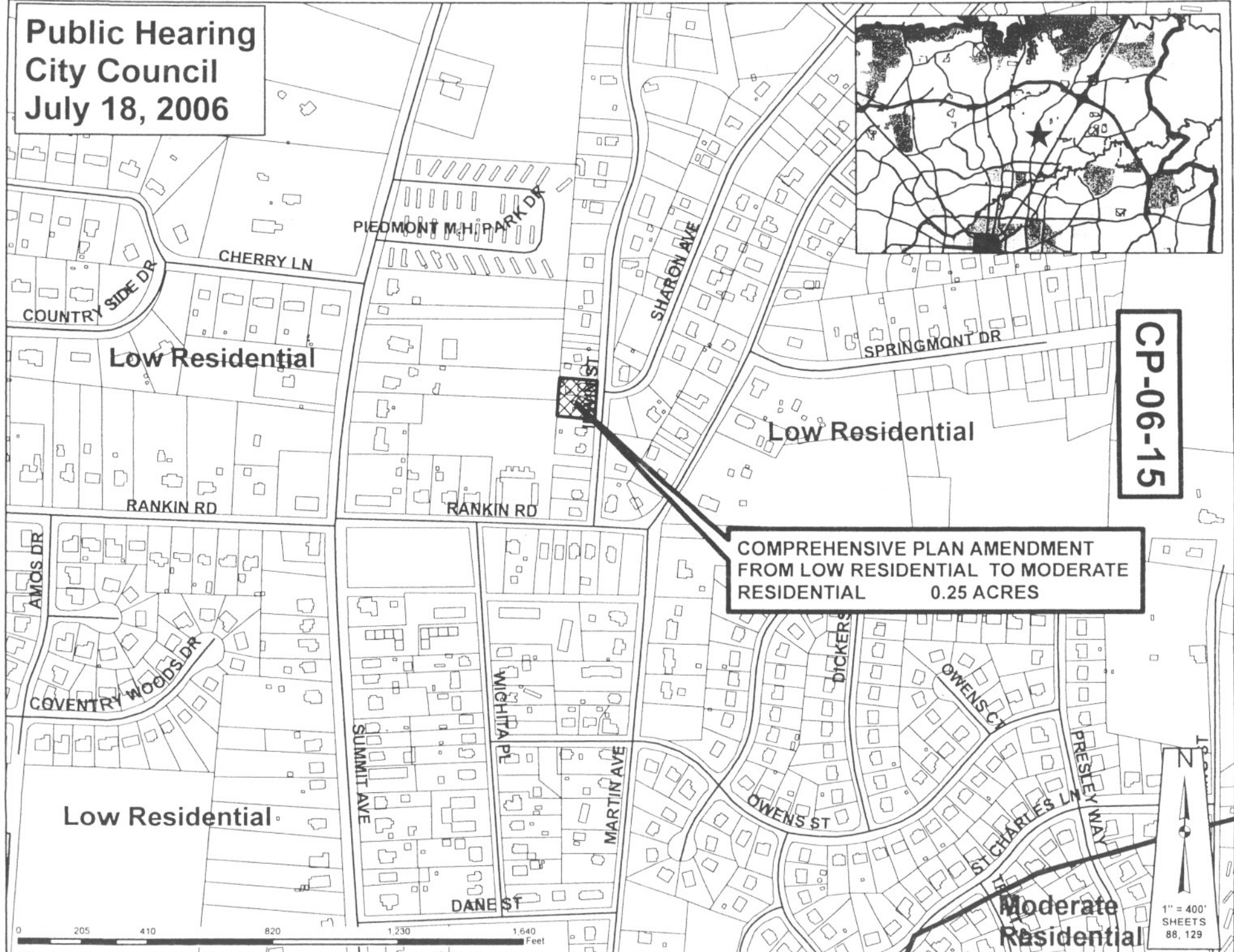
Public Hearing  
City Council  
July 18, 2006

CP-06-15

COMPREHENSIVE PLAN AMENDMENT  
FROM LOW RESIDENTIAL TO MODERATE  
RESIDENTIAL 0.25 ACRES



1" = 400'  
SHEETS  
88, 129



**Attachment B  
(CP-06-15)**

**City of Greensboro Planning Department  
Zoning Staff Report and  
Plan Amendment Evaluation  
June 12, 2006 Public Hearing**

*The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.*

**Item:** H  
**Location:** 3515 Irwin Street

**Applicant:** David R. Caudle  
**Owner:** JP Morgan Chase Bank, NA Successor by Merger with Bank One, NA

**GFLUM:**  
**From:** Low Residential  
**To:** Moderate Residential

**Zoning:**  
**From:** RS-12  
**To:** RS-5

**Conditions:** N/A

SITE INFORMATION	
Maximum Developable Units	2
Net Density	7 dwelling units per acre
Existing Land Use	2 Single Family Dwellings
Acreage	0.25
Physical Characteristics	<i>Topography:</i> Downward easterly slope <i>Vegetation:</i> Mature trees / grass <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Low Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
North	Single Family	RS-12
South	Single Family	RS-12
East	Single Family / Undeveloped	RS-12
West	Rear Portion of Single Family Lots Facing Summit Ave.	RS-12

ZONING HISTORY		
Case #	Year	Request Summary
		This property has been zoned RS-12 since July 1, 1992. Prior to the implementation of the UDO, it was zoned Residential 120S.

DIFFERENCES BETWEEN RS-12 (EXISTING) AND RS-5 (PROPOSED) ZONING DISTRICTS	
• <b>RS-12:</b> Primarily intended to accommodate moderate density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 3.0 units per acre or less.	
<b>RS-5:</b> Primarily intended to accommodate high density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 7.0 units per acre or less.	

TRANSPORTATION	
Street Classification	Irwin Street – Local Street.
Site Access	Residential driveways.
Traffic Counts	None available.
Trip Generation	N/A.
Sidewalks	N/A.
Transit	No.
Traffic Impact Study	Not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

ENVIRONMENTAL REVIEW	
Water Supply Watershed	N/A, Site drains to North Buffalo Creek
Floodplains	N/A
Streams	N/A
Other	N/A

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
North	N/A
South	N/A
East	N/A
West	N/A

## CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

### Connections 2025 Written Policies:

*Housing and Neighborhoods Goal:* Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

*POLICY 6B.3:* Improve **maintenance of existing housing stock**.

*POLICY 6C:* Promote the diversification of new housing stock to meet the needs of all citizens for suitable, **affordable housing**.

### Connections 2025 Map Policies:

*The area requested for rezoning lies within the following map classifications:*

#### Existing:

*Low Residential (3-5 d.u./acre):* This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

#### Proposed:

*Moderate Residential (6-12 d.u./acre):* This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

COMPREHENSIVE PLAN AMENDMENT HISTORY		
Case #	Date	Request Summary
N/A		There have not been any map amendments in the immediate vicinity of this case.

## APPLICANT STATED REASONS FOR REQUEST

**Explain in detail why the change is needed and a justification for such a change:**

Many if not most of the houses on this map and block cross over the lot lines. This parcel has 2 separately owned houses located on it. These houses have been in existence for numerous years. The previous owner, Paul E. Norman, Jr. and wife Edna Norman owned contiguous lots with houses on them as well which also cross over lot lines. The Normans mortgaged these two houses to Franklin Credit Management Corp. and Bank One, NA (by assignments of deeds of trusts) who foreclosed and obtained separate titles to the respective houses. They wish to market these two houses in "as is" condition. Both companies have had trouble selling these houses since they are legal non-conforming properties which if damaged or need repair/improvements will not be permitted.

**Explain in detail the conditions that you think may warrant a Plan Amendment (i.e. unforeseen circumstances or the emergence of new information, unanticipated changes in development pattern, rezonings, transportation improvements, economic opportunities, changes in socioeconomic conditions, etc.):**

These houses have existed in their present status over 50 years each. Both mortgage lenders are innocent parties who lent mortgage monies to Paul Norman and were forced to foreclose him due to non-payment. They are selling the property in an "as is" condition. No additional houses are planned to be built on the property. The houses will be repaired by the new owners who will need building permits for the repairs. The lots are only 40 feet wide and the mortgage companies only want a zoning change to have the two houses conform to zoning although they did not build the houses over individual lot lines. No large multi-family housing is planned or even asked. They will remain single family residential houses. They were legally existing but non-conforming.

## **COMPREHENSIVE PLAN ANALYSIS**

**Need for the Proposed Change:**

There will be no physical change in land use or density. This amendment will not change the course of achieving the goals and policies of the Comprehensive Plan. The request is supported by the Housing and Neighborhoods Goal and Policies 6B.3 and 6C which support affordable housing and the maintenance of existing housing stock. By allowing these structures to become conforming they have better certainty of being fixed up and maintained.

**Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service, traffic counts, planned road improvements, transit, accidents statistics, and environmental constraints such as; location within a Water Supply Watershed, floodplain, streams):** None

**Implications, if any, the Amendment may have for Other Parts of the Plan:** This will place a .25 acre spot of Moderate Residential in the middle of the Low Residential land use classification on the Generalized Future Land Use Map and it may encourage other similar amendments.

**Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3):**

None

## **COMPREHENSIVE PLAN MONITORING COMMENTS**

The Monitoring Committee met on Monday, June 5, 2006, and made the following comments concerning this request:



- This seems o.k.;
- It is making a non-conforming situation conforming and fixing some financing issues;
- Disappointed that something this small has to go through the amendment process; and
- Concerned about setting a precedent with such a small spot of Moderate Residential.

### **CONFORMITY WITH OTHER PLANS**

*The following aspects of relevant plans may be applicable in this case:*

**City Plans:** N/A

**Other Plans:** N/A

### **STAFF COMMENTS**

**Planning:** Of the approximately 45 lots within a 400 foot radius of the subject property, 10 of these have an average lot area under 7,000 square feet. Thus, slightly less than 25% of the lots in the immediate area would require RS-5 zoning to be in conformance with current zoning regulations.

**GDOT:** No additional comments.

**Water Resources:** No additional comments.

### **STAFF RECOMMENDATION**

Based on all the information contained in this report, the Planning Department recommends approval of the Comprehensive Plan amendment to the Moderate Residential land use classification and approval of the rezoning to RS-5 Residential Single Family primarily due to:

- There being no physical change in land use or density;
- It is supported by the Housing and Neighborhoods Goal and Policies 6B.3 and 6C which support affordable housing and the maintenance of existing housing stock; and
- This amendment will not change the course of achieving the goals and policies of the Comprehensive Plan.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Rezoning of Property Located on the West Side of Irwin Street Opposite the Intersection with Sharon Avenue

Department:	Planning Department	Current Date:	June 27, 2006
Contact 1:	Richard Hails	Public Hearing:	July 18, 2006
Phone:	373-2922	Advertising Date:	June 29 and July 6, 2006
Contact 2:	Bill Ruska	Advertised By:	City Clerk
Phone:	373-2748	Authorized Signature:	<i>RW Hails</i>
Attachments:	Attachment A: Vicinity Map (PL(Z) 06-38) Attachment B: Minutes of June 12, 2006 Zoning Commission Meeting Attachment C: Zoning Staff Report ( <b>Attached to Comprehensive Plan Amendment CP-06-15 Agenda Item</b> )		

**PURPOSE:**

David R. Caudle applied for a rezoning from RS-12 Residential Single Family to RS-5 Residential Single Family for property located on the west side of Irwin Street opposite the intersection with Sharon Avenue. The Zoning Commission considered this application on June 12, 2006. The City Council will conduct a public hearing to consider this application.

**BACKGROUND:**

The Zoning Commission voted 8 to 0 to recommend approval of the request.

There was one speaker in favor of and no speakers in opposition to this proposal (see Attachment B: Minutes of June 12, 2006 Zoning Commission Meeting).

A vicinity map of the proposed rezoning is attached and a copy of the Staff Report is attached to the Agenda Item for Comprehensive Plan Amendment CP-06-15.

**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends approval of the ordinance.



**Public Hearing  
City Council  
July 18, 2006**

#3017

93

RM-8

REDOR ST

RS-12

RS-12

RM-12

CHERRY LN

RS-12

RS-12

IRWIN ST

SHARON AVE

MARTIN AVE

SPRINGMONT DR

RS-9

REQUESTED FROM RS-12  
TO RS-5 0.25 ACRES (H)

(PL(Z)06-38)

RS-1

RANKIN RD

GB

RANKIN RD

RS-9

AMOS DR

SUMMIT AVE

RM-12

OWENS ST

WICHITA PL

MARTIN AVE

RS-9

OWENS CT



1" = 400'  
SHEET  
88, 129

0 200 400 800 1,200 1,600 Feet

## **ATTACHMENT B**

### **MINUTES OF JUNE 12, 2006 ZONING COMMISSION MEETING (PL(Z) 06-38)**

Mr. Woody presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Larry Pearman, Esq., 5405 West Friendly Avenue, said he was here on behalf of the petitioner. The two houses on the property are under foreclosure and need repair. The rezoning to RS-5 will allow them to be repaired. It will basically not be changing the aesthetics of the neighborhood, it is not changing anything at all. No additional services will be required. It will be taking a non-conforming use and trying to make it conform, not only to help these two banks but also to help the City of Greensboro so that people will purchase the houses, repair them and live in them.

There was no one present to speak in opposition to the request. Chair Wolf closed the public hearing.

Mr. Hails said as noted, this is an unusual situation. It is a very small site with no new proposed development, but it will simply add a lot line to make the two properties legal, conforming lots. As such, there is virtually no impact on the surrounding area. It is just trying to make a current situation legal. He noted for the record that this area is a mixture of low and some moderate residential uses. Staff is studying whether possibly any changes to the Comp Plan for moderate residential makes sense for some portions of this area and will bring forth some amendments later this year. However, they certainly think the merits of the current situation introduce no new impacts on the surrounding area and staff recommends approval of the request.

Mr. Schneider said the Greensboro Zoning Commission believes that its action to approve the zoning amendment, located on the west side of Irwin Street from RS-12 to RS-7, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is consistent with meeting the needs for a choice of decent, affordable housing in stable neighborhoods; and it improves and maintenance of existing housing stock and it just makes sense so we can improve these properties. Mr. Wright seconded the motion. The Commission voted unanimously 8-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Schneider, Shipman, Spangler, Wright. Nays: None.)



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** An ordinance amending the Greensboro Code of Ordinances with respect to Zoning, Planning and Development - Section 30-3-19.4(E), Construction and Utility Drawings

Department:	Planning	Current Date:	7/6/06
Contact 1:	Butch Simmons	Public Hearing:	Yes, at 7/18/06 Council Meeting
Phone:	373-2329	Advertising Date:	
Contact 2:	Dick Hails	Advertised By:	
Phone:	373-2922	Authorized Signature:	<i>PWH</i>
Attachments:	Attachment A – Text Amendment		

**PURPOSE:**

The purpose of the text amendment is to revise the fee schedule within the Development Ordinance to increase the review/inspection fee for construction and utility drawings and establish a review fee for revisions made to construction and utility plans when revised after approval.

**BACKGROUND:**

During the budget approval process, Council increased the review/inspection fee for construction and utility drawings and established a review fee for revision made to the construction and utility plans when revised after approval. This item is the text amendment which revises Chapter 30 to reflect Council's action.

**BUDGET IMPACT:**

This change will increase City revenues.

**RECOMMENDATION / ACTION REQUESTED:**

City Council action on the proposed text amendment.

ATTACHMENT "A"

AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES  
WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Section 30-3-19.4(E), Construction and Utility Drawings, is hereby amended by rewriting the section to read as follows:

(E) Construction and Utility Drawings:	
1) Water lines, per linear foot of construction	\$1.50
2) Sewer lines, per linear foot of construction	\$1.50
3) Roadway construction, per linear foot of construction	\$1.50
4) Revision to approved Construction and Utility Drawings, per plan	\$200

Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 3. This ordinance shall be effective upon the date of adoption.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE: Hornaday Road Extension Roadway & Sidewalk Improvements on basis of Public Necessity**

Department:	Engineering & Inspections	Current Date:	May 5, 2006
Contact 1:	Donald Arant	Public Hearing:	TBD by Legal
Phone:	373-2465	Advertising Date:	TBD by Legal
Contact 2:	Thomas Cordell	Advertised By:	TBD by Legal
Phone:	373-2039	Authorized Signature:	
Attachments:	Records and Vicinity Map 545		

**PURPOSE:**

The Greensboro Department of Transportation (GDOT) has requested that we improve Hornaday Road with curb & gutter, sidewalk and other related roadway improvements of Hornaday Road from approximately 830' West of Nicholas Road along existing Hornaday Road and the new Hornaday Road extension to Chimney Rock Road at Marietta Road on the basis of public necessity where none now exist. In order for the project to proceed Council authorization is required.

**BACKGROUND:**

The North Carolina Department of Transportation (NCDOT) is constructing a portion of the Urban Loop in close proximity to existing Hornaday Road and Chimney Rock Road. GDOT & NCDOT have reached an agreement that NCDOT will fund the bridge work for the project and the City will fund the roadway work. Once complete, the extension of Hornaday Road will facilitate a safer and more efficient flow of traffic in southwest Greensboro. Hornaday Road is currently a ribbon pavement facility which will require curb and gutter to be installed

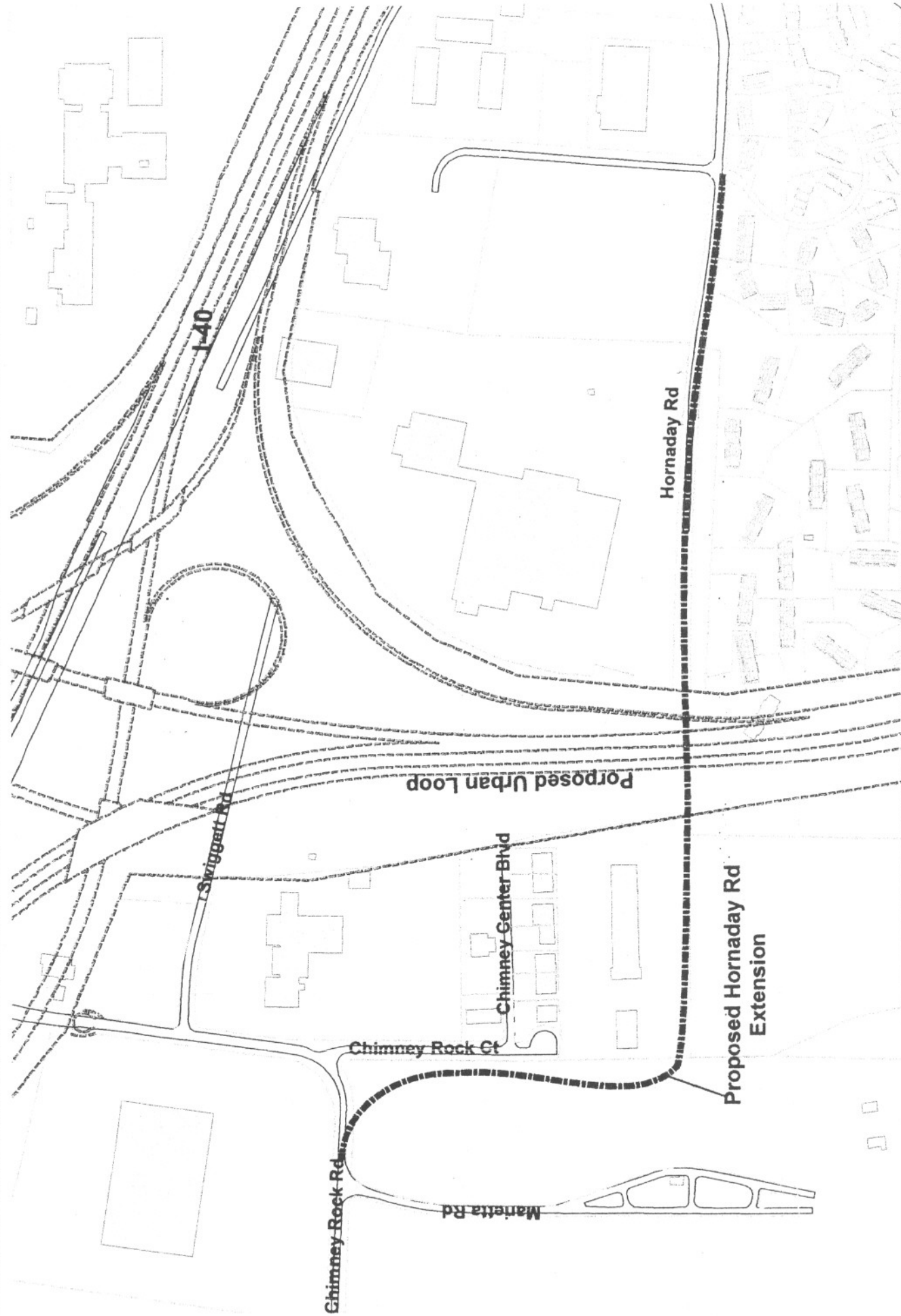
**BUDGET IMPACT:**

The cost of the project is estimated at \$5,510,828.00 with a projected recovery through the assessments process of approximately \$175,000.00. Funding for the project will come from Account No. 402-4531-01.6014 activity number 03217.

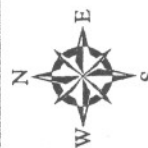
**RECOMMENDATION / ACTION REQUESTED:**

The Greensboro Department of Transportation recommends that roadway, curb, gutter, sidewalk and other related roadway improvements be authorized on Hornaday Road from approximately 830' West of Nicholas Road along existing Hornaday Road and the new Hornaday Road extension to Chimney Rock Road at Marietta Road on the basis of public necessity where none now exist.



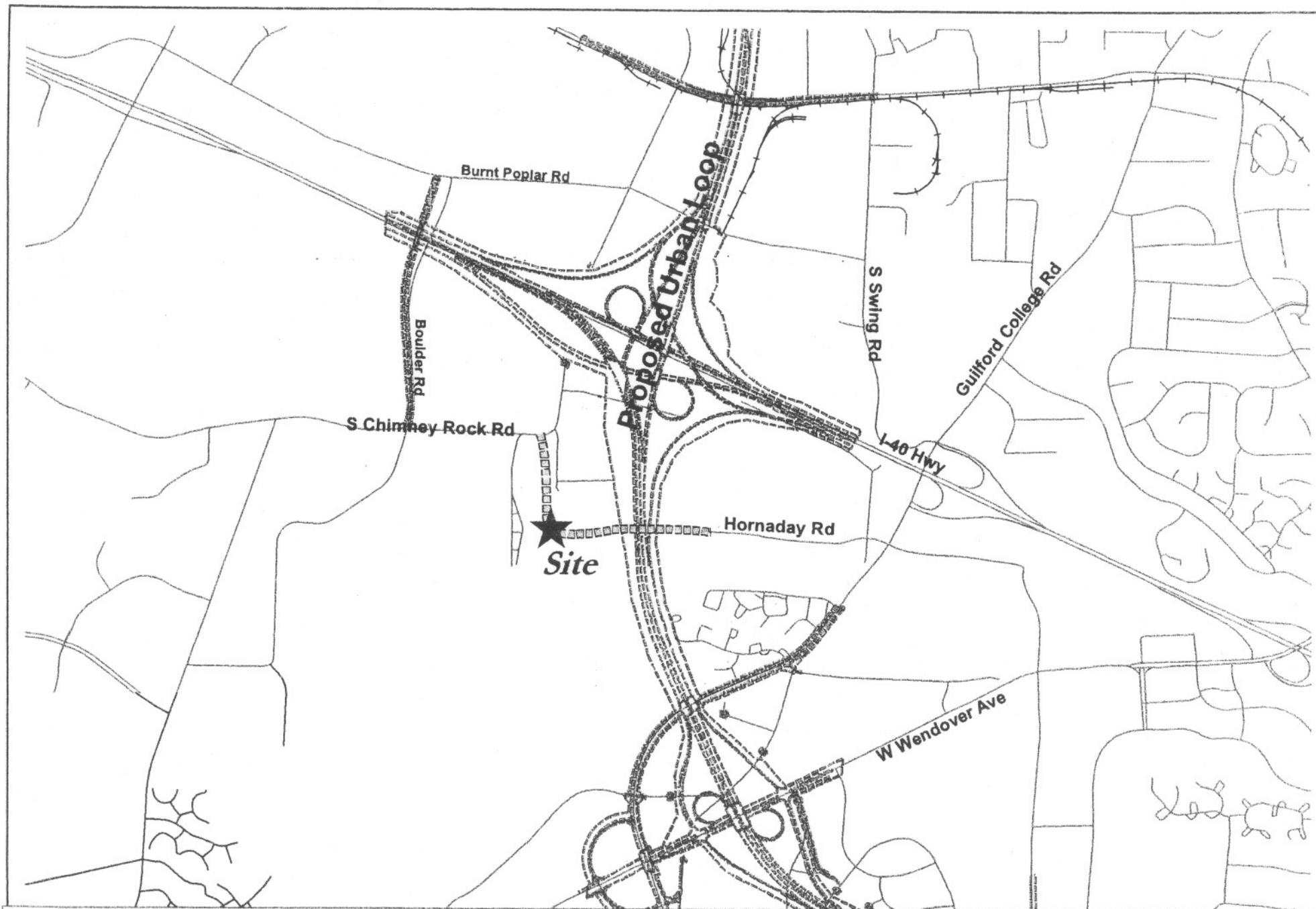


**Engineering Records Map 545**  
 Project: Hornaday Road Extension P4160  
 Address: Hornaday Rd Between Chimney Rock Rd  
 and West of Guilford College Rd



**Engineering Records Map 545**  
 Public Necessity  
 Compiled By: M. Milton  
 01-23-06





### Vicinity Map for

Project: Hornaday Road Extension P4160  
Address: Hornaday Rd Between Chimney Rock Rd  
and Existing Hornaday Rd



Engineering Records Map 545  
Public Necssity  
Compiled By: M. Milton  
01-23-06



City of Greensboro  
**City Council**  
Agenda Item

**TITLE: NCDOT Church Street Widening**

Department:	Engineering & Inspections	Current Date:	06/12/06
Contact 1:	Tony Cox	Public Hearing:	N/A
Phone:	373-2679	Advertising Date:	N/A
Contact 2:	Kim Thore	Advertised By:	N/A
Phone:	373-2302	Authorized Signature:	<i>Tony Cox</i>
Attachments:	Vicinity Map, Engineering Records Map 552		

**PURPOSE:** The North Carolina Department of Transportation is requesting to acquire fee simple right of way and temporary construction easements for the widening of North Church Street. City Council approval is needed before transactions on the property can proceed.

**BACKGROUND:**

The North Carolina Department of Transportation has plans to widen a section of North Church Street between Wendover Ave and Cornwallis Drive. The City owns property at 1512 N. Church Street, Tax Map 250-18-1 and 1902 N Church Street, Tax Map 263-2-4. NCDOT has requested that the City of Greensboro dedicate needed right of way with an area of 11,954.8 square feet and a temporary construction easement with an area of 869.2 square feet.

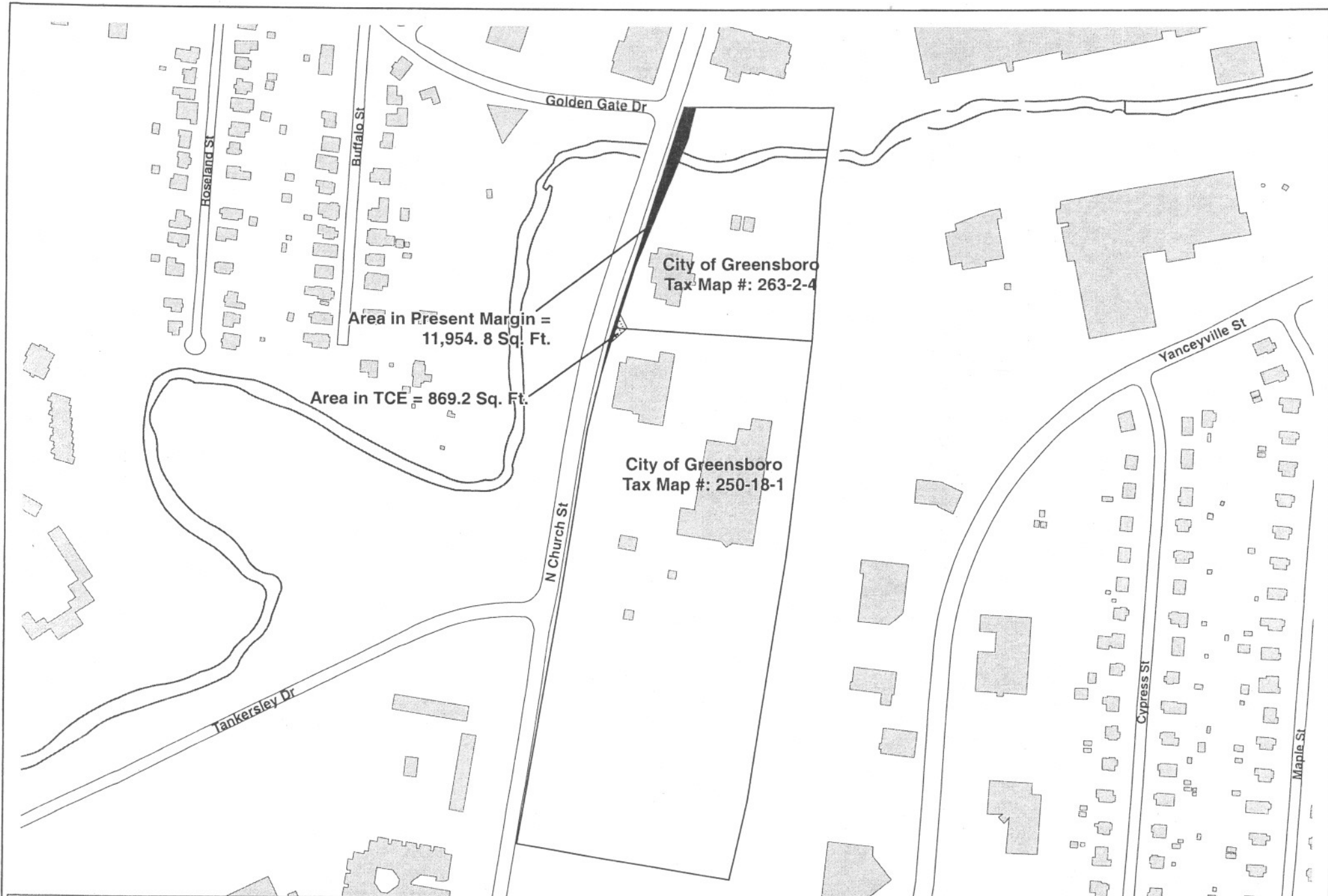
The City of Greensboro and NCDOT has history of cooperation with each other in supplying needed right of way for road projects.

**BUDGET IMPACT:**

No funds are required for this transaction.

**RECOMMENDATION / ACTION REQUESTED:**

Property Management recommends that City Council approve and authorize the dedication of fee simple right of way and temporary construction easement to the North Carolina Department of Transportation.



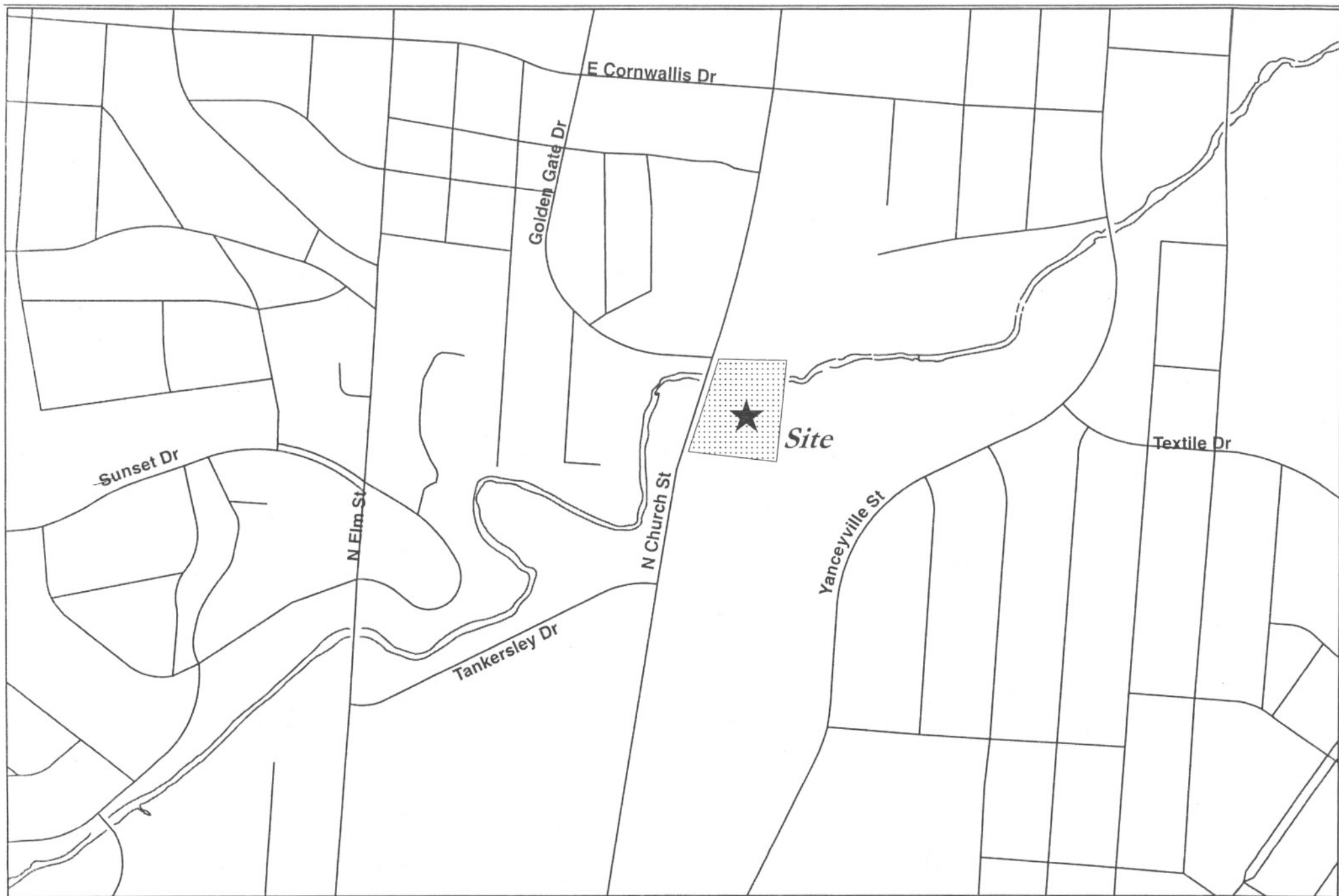
## Engineering Records Map 552

Project: NCDOT Church Street Widening  
Owner: City of Greensboro  
Address: 1512 N Church St & 1902 N Church St  
Tax Map #: 250-18-1 & 263-2-4



Engineering Records Map 552

Compiled By: M. Milton  
03-28-06



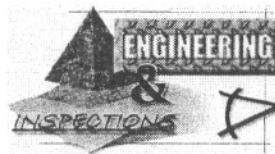
## Vicinity Map for

Project: NCDOT Church Street Widening

Owner: City of Greensboro

Address: 1512 N Church St & 1902 N Church St

Tax Map #: 250-18-1 & 263-2-4



Engineering Records Map 552

Compiled By: M. Milton

03-28-06



City of Greensboro  
**City Council**  
Agenda Item

**TITLE: Lake Jeanette Road Widening**

Department:	Engineering & Inspections	Current Date:	June 12, 2006
Contact 1:	Kathy Kimble	Public Hearing:	N/A
Phone:	373-2759	Advertising Date:	N/A
Contact 2:	Kim Thore	Advertised By:	N/A
Phone:	373-2302	Authorized Signature:	
Attachments:	Vicinity Map and Engineering Records Map		

**PURPOSE:**

The Property Management Section of the Engineering & Inspections Department is in the process of acquiring right of way and easements for the Lake Jeanette Road Widening project. City Council approval is required to proceed with proposed transaction.

**BACKGROUND:**

An independent appraiser was hired to evaluate the value of right of way and easements being taken for the property identified as Tax Map # 6-352-726-N-5 owned by Vicki V. Cummings. Property Management is confident that the appraised amount of \$17,741.00 is a fair price and request approval by City Council.

**BUDGET IMPACT:**

Funding is available in Account Number 441-6003-10.6012 Activity # 01067.

**RECOMMENDATION / ACTION REQUESTED:**

Property Management recommends that City Council approve the appraised amount of \$17,741.00 for the purchase of the needed right of way, slope, and temporary construction easements at 4300 Lake Jeanette Road for the Lake Jeanette Road Widening.

Lake Jeanette Rd

Area in Proposed Margin Tract 97E-A = 1545 Sq. Ft.

Area in PSE Tract 97E-B = 1046 Sq. Ft.

Area in TCE Tract 97E-C = 1127 Sq. Ft.

Vicki V Cummings  
Tax Map #: 6-352-726-N-5

Pineburr Rd

## Engineering Records Map 556

Project: P03879 Lake Jeanette Widening  
Owner: Vicki V. Cummings  
Address: 4300 Lake Jeanette Rd



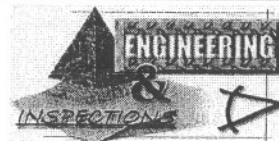
Engineering Records Map 556  
Compiled By: M. Milton  
06-02-06





## Engineering Records Map 556

Project: P03879 Lake Jeanette Widening  
Owner: Vicki V. Cummings  
Address: 4300 Lake Jeanette Rd



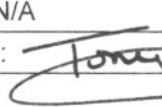
## Engineering Records Map 556

Compiled By: M. Milton  
06-02-06



City of Greensboro  
**City Council**  
Agenda Item

**TITLE: Lake Jeanette Road Widening**

Department:	Engineering & Inspections	Current Date:	June 14, 2006
Contact 1:	Kathy Kimble	Public Hearing:	N/A
Phone:	373-2759	Advertising Date:	N/A
Contact 2:	Kim Thore	Advertised By:	N/A
Phone:	373-2302	Authorized Signature:	
Attachments:	Vicinity Map and Engineering Records Map		

**PURPOSE:**

The Property Management Section of the Engineering & Inspections Department is in the process of acquiring the right of way and easements for the Lake Jeanette Road Widening project. City Council approval is required to proceed with proposed transaction.

**BACKGROUND:**

An independent appraiser was hired to evaluate the value of right of way and easements being taken for the property identified as Tax Map # 6-352-703-3 owned by Samuel Lee and wife Virginia L. Anderson. Property Management is confident that the appraised amount of \$20,000.00 is a fair price and request approval by City Council.

**BUDGET IMPACT:**

Funding is available in Account Number 441-6003-10.6012 Activity # 01067.

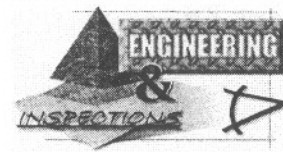
**RECOMMENDATION / ACTION REQUESTED:**

Property Management recommends that City Council approve the appraised amount of \$20,000.00 for the purchase of the needed right of way, slope, and temporary construction easements at 4900 Lake Jeanette Road for the Lake Jeanette Road Widening.



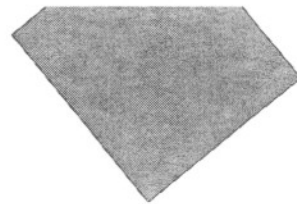
## Engineering Records Map 555

Project: P03879 Lake Jeanette Widening  
Owner: Samuel Lee & wife, Virginia L. Anderson  
Address: 4900 Lake Jeanette Rd  
Tax Map #: 6-352-703-3



Engineering Records Map 555

Compiled By: M. Milton  
06-01-06

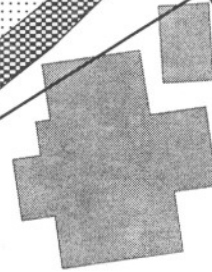
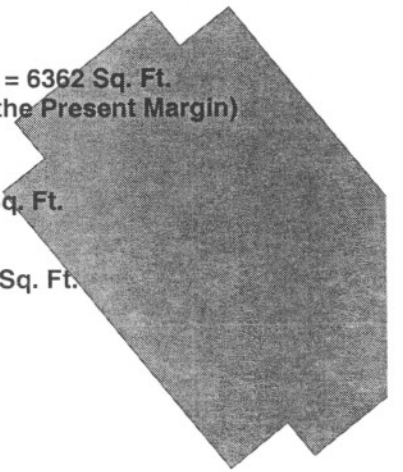


Lake Jeanette Rd

Area in Proposed Margin 49E-A = 6362 Sq. Ft.  
(of which 2727 Sq. Ft. lie within the Present Margin)

Area in TCE 49E-C = 1123 Sq. Ft.

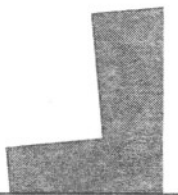
Area in PSE 49E-B = 41 Sq. Ft.



Samuel Lee & wife, Virginia L. Anderson  
Tax Map #: 6-352-703-3

Roberson Comer Dr

Prestbury Dr



## Engineering Records Map 555

Project: P03879 Lake Jeanette Widening  
Owner: Samuel Lee & wife, Virginia L. Anderson  
Address: 4900 Lake Jeanette Rd  
Tax Map #: 6-352-703-3



Engineering Records Map 555

Compiled By: M. Milton  
06-01-06

July 18, 2006



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** TelCove Operations, Inc. Amendment

Department:	Engineering & Inspections	Current Date:	06-20-06
Contact 1:	John Gribble	Public Hearing:	N/A
Phone:	Ext: 2464	Advertising Date:	N/A
Contact 2:	Don Kimbro	Advertised By:	N/A
Phone:	Ext 2048	Authorized Signature:	<i>Daniel S. Kimbro</i>
Attachments:	One (1) item including: Amendment.		

**PURPOSE**

TelCove Operations, Inc., has requested a franchise amendment in order to operate purchased KMC assets within City right-of-way. In order to proceed, City Council approval is required.

**BACKGROUND**

TelCove is a telecommunications provider that has franchised infrastructure located in City right-of-way. Through this amendment, TelCove gains compliance of institutional network requirements by providing six fiber optic strands for City use at the Public Safety Training Facility located at 1510 North Church Street. City also agrees to purchase institutional network to the Botanical Gardens (1105 Hobbs Road).

**BUDGET IMPACT**

The funding of the Botanical Gardens (1105 Hobbs Road) institutional network at a cost of approximately \$14,000 will come from Account No. 682-0701-04.5622.

**RECOMMENDATION/ACTION REQUESTED**

Engineering & Inspections Department recommends the approval of the amendment.

Item Number 17

*195c*

**AMENDMENT NO. 1 TO  
FRANCHISE AGREEMENT  
BETWEEN  
CITY OF GREENSBORO, NORTH CAROLINA  
AND  
TelCove Operations, Inc.**

THIS AMENDMENT TO THE FRANCHISE AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by and between the CITY OF GREENSBORO, hereinafter referred to as "City" and TelCove Operations, Inc., hereinafter referred to as "TelCove".

**WITNESSETH:**

WHEREAS, in May 1995, the City Council adopted a Telecommunications Ordinance and on March 7, 2000, Adelphia Business Solutions of North Carolina, LP's, hereinafter referred to as "Adelphia," application for a franchise was approved and the City entered into a Franchise Agreement, hereinafter "Agreement," granting Adelphia a Franchise to construct, operate, and maintain a telecommunications system for the purpose of providing telecommunications services within the City owned rights-of-way in the City of Greensboro; and

WHEREAS, Adelphia has changed its name to and does business as TelCove, Operations Inc., TelCove is now the Franchisee under the Agreement; and

WHEREAS, on July 14, 1997, the City entered into a Franchise Agreement, hereinafter "KMC Agreement," with KMC Telecom Inc., hereinafter KMC, granting KMC a Franchise to construct, operate, maintain, and reconstruct a telecommunications system for the purpose of providing telecommunications services within the City owned rights-of-way in the City of Greensboro; and

WHEREAS, TelCove has entered into an agreement with KMC to purchase all of the telecommunications system that was installed by KMC pursuant to the KMC Agreement; and

WHEREAS, the City's consent to the aforementioned transfer of assets which comprised the KMC telecommunications systems and any resultant extension of TelCove's service area is required; and

WHEREAS, TelCove is not in compliance with the terms of Appendix E of the Agreement with respect to 6 fibers it agreed to provide to the City at no cost as part of its initial backbone construction, and the City has notified TelCove of its noncompliance; and



WHEREAS, the City desires TelCove to be in compliance with respect to the provision of fibers before approving TelCove's extending its service area or operating within the City the facilities previously operated by KMC; and

WHEREAS, the City has an immediate need for the installation of dark fiber at its recently built Public Safety Training Facility located at 1510 North Church Street and the Botanical Gardens located at 1105 Hobbs Road., which were not sites listed for provision of fiber at no cost in Appendix E of the Agreement; and

WHEREAS, TelCove and the City have agreed upon terms which would bring TelCove into compliance with Appendix E of the Agreement and which would allow the City to approve TelCove's extending its service area by assuming responsibility for and operating the telecommunications facilities previously operated by KMC within the City; and

WHEREAS, the parties desire that, except as provided hereinbelow, all other provisions of the (TelCove) Agreement remain unchanged and in full force and effect.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants contained herein, the parties do mutually agree as follows:

1. TelCove has represented and the City acknowledges (a) that TelCove has provided it accurate as-built digital and hardcopy maps locating all TelCove facilities and fiber, including all such facilities and fiber acquired from KMC, within the City rights-of-way; and (b) that TelCove has submitted to the City a report of the total linear footage of fiber in the City's rights-of-way, including the footage for fiber acquired from KMC.

2. For the right to enter upon and make use of the City's rights-of-way and to continue to operate and maintain, within the City-owned rights-of-way, the facilities and fiber it has purchased from KMC, TelCove agrees to amend Appendix E of the Agreement to add the City's Public Safety Training Facility located at 1510 North Church Street and Botanical Gardens located at 1105 Hobbs Road to the list of sites at which it will provide dark fiber to the City. TelCove further agrees that, at no cost to the City, it will supply, provide and install said fiber to the Public Safety Training Facility and the Botanical Gardens within sixty (60) days of execution of this Amendment; except that the City will pay to TelCove the sum of approximately \$14,000, such final amount shall be invoiced upon completion of the builds, toward the cost of installing fiber to the Botanical Gardens site upon satisfactory completion of installation. Based upon the foregoing agreement and promise by TelCove, the City and TelCove agree to amend Appendix E to delete all remaining sites listed as sites at which TelCove must supply fiber at no cost. The City further agrees that once TelCove installs fiber to City demarc at the Public Safety Training Facility (1510 N. Church Street) and City demarc at Botanical Gardens (1105 Hobbs Road), TelCove will be in compliance with its obligations under Appendix E of the Agreement.

3. TelCove further agrees that, in the future, upon expansion of its services or its franchise service area (beyond the area covered by the combining of the Adelphia and KMC franchises) or when the City makes a request to purchase additional INET (dark fiber), TelCove will engage in discussions with the City regarding the City's INET needs; and, if the City desires to purchase additional INET, TelCove agrees to enter into negotiations to provide such additional fiber to the City at reasonable prices and on reasonable terms and conditions.

4. Provided that TelCove is in compliance in accord with the provisions of Paragraph 2 above, the City hereby provides consent to KMC's having transferred its telecommunications assets and facilities within the City to TelCove and TelCove's assuming full responsibility for said assets and facilities. TelCove's service area shall be extended to include the assets and facilities acquired from KMC as they are situated and located as of the date this Amendment is entered into, and Appendix A of the Agreement shall be amended within thirty (30) days of the date of this Amendment to show TelCove's service area as it will be with the inclusion of the assets and facilities acquired from KMC.

5. Only the KMC Agreement provisions regarding Dark Fiber shall be incorporated into the TelCove Agreement. All other provisions of the TelCove Franchise remain unchanged and in full force and effect.

6. The Franchise Agreement and documents provided pursuant thereto are subject to and governed by the Infrastructure Information Security Policy of the City of Greensboro, the terms of which are incorporated by reference herein.

IN WITNESS WHEREOF, each of the parties to this Amendment has caused the same to be executed in duplicate originals the day and year first above written.

ATTEST:

**CITY OF GREENSBORO, NORTH CAROLINA**

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
City Manager

RECOMMENDED:

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Engineering & Inspections Director

By: \_\_\_\_\_  
Assistant City Attorney

ATTEST:

By: \_\_\_\_\_  
Title \_\_\_\_\_  
*President & CEO*

**TELCOVE OPERATIONS, INC.**

By: \_\_\_\_\_ (SEAL)  
Title \_\_\_\_\_  
*Secretary*



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Grant Funding for E-Waste Recycling at the Permanent HHW Program

**Department:** Environmental Services

**Current Date:** 06/21/06

**Contact 1:** Greg Thomasson

**Public Hearing:** N/A

**Phone:** 373-4107

**Advertising Date:** N/A

**Contact 2:** Jeryl W. Covington

**Advertised By:** N/A

**Phone:** 373-2787

**Authorized Signature:**

*Joan A. Blackburn*

**Attachments:**

**PURPOSE:**

The Environmental Services Department is requesting that City Council amend the State, Federal, and other Grants Fund budget by \$15,000 for the purpose of collecting and disposing of electronic waste (e-waste) through the existing permanent household hazardous waste (HHW) program. A budget amendment needs to be approved by City Council to permit the expenditure of funds.

**BACKGROUND:**

In 2005, the Hayden-Harman Foundation of Burlington, NC approached the Environmental Services Department about providing a \$15,000 grant for three-years (\$45,000 total) to fund e-waste recycling for the residents of Greensboro and Guilford County. On August 16, 2005, City Council approved the first ordinance amending the State, Federal, and Other Grants Budget by \$15,000 for e-waste recycling at the permanent HHW program. In FY 05-06, this funding recycled 96,954 pounds of e-waste.

**BUDGET IMPACT:**

This amendment adds \$15,000 in grant funding for the recycling of e-waste. Any additional expenses above this funding will be covered through account 101-6505-01.5429.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that the City Council adopt the attached budget ordinance amending funding in the amount of \$15,000 for the purpose of collecting and disposing of e-waste from the residents of the City of Greensboro and Guilford County through the permanent HHW program.

ORDINANCE AMENDING THE STATE, FEDERAL, AND OTHER GRANTS  
FUND BUDGET FOR E-WASTE RECYCLING AT THE PERMANENT HHW PROGRAM

**Section 1:**

BE IT ORDAINED BY THE CITY OF GREENSBORO:

That the FY 06-07 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-6556-01.5429	Other Contracted Services	<u>15,000</u>
<b>Total</b>		<b>\$15,000</b>

And, that this increase be financed by increasing the following State, Federal and Other Grants Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-6556-01.8620	Private Donation	<u>\$15,000</u>
<b>Total</b>		<b>\$15,000</b>

**Section 2:**

And, that this ordinance should become effective upon adoption.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Transportation Planning Grant Budget Ordinance FY 2006-2007

Department:	Transportation	Current Date:	June 28, 2006
Contact 1:	Jim Westmoreland	Public Hearing:	N/A
Phone:	336-373-2863	Advertising Date:	N/A
Contact 2:	Tyler Meyer	Advertised By:	N/A
Phone:	336-373-2254	Authorized Signature:	<i>Tommy I. Sar</i>
Attachments:	<b>Attachment A:</b> Ordinance Amending State, Federal and Other Grants Fund Budget for FY 2006-2007 Greensboro Urban Area Metropolitan Planning Organization Activities <b>Attachment B:</b> Resolution Approving the FY 2006-2007 Unified Planning Work Program for the Greensboro Urban Area		

### PURPOSE

Establish budget for FY 2006-2007 Federal Transportation Planning Grant Funds on behalf of the Greensboro Urban Area Metropolitan Planning Organization. A budget amendment needs to be approved by the City Council to permit the expenditure of funds.

### BACKGROUND

As the lead transportation planning agency for the Greensboro Urban Area Metropolitan Planning Organization (MPO), the City of Greensboro receives annual Federal Planning Grant funds (Section 104(f)PL). These funds are administered by the North Carolina Department of Transportation (NCDOT) and are used to fund transportation planning related activities, which support the MPO's Unified Planning Work Program. The MPO Transportation Advisory Committee adopted the FY 2006-2007 Unified Planning Work Program on February 22, 2006.

For FY 2006-2007, the City has received notification from the NCDOT that \$567,801 is available to cover 80% of the transportation planning expenses.

### BUDGET IMPACT

A 20% local match of \$141,950 is required to leverage these funds. This local match will be funded through in-kind services. An additional \$10,000 is budgeted within Consultant Services for studies done in cooperation with other jurisdictions within the MPO and will be offset through Local Government Grants.

A total of \$719,751 is available for transportation planning in FY 2006-2007. The proposed budget includes \$108,333 in personnel & benefits; \$601,418 in maintenance/operations; and \$10,000 in capital equipment expenses.

### RECOMMENDATION/ACTION REQUESTED

It is recommended that the City Council adopt the attached budget ordinance establishing funding in the amount of \$719,751 for Transportation planning on behalf of the Greensboro Urban MPO.

Attachment A

ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR FY  
2006-2007 GREENSBORO URBAN AREA METROPOLITAN PLANNING  
ORGANIZATION ACTIVITIES

**Section 1**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO

That the State and Federal Grant Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and Other Grants Fund be increased as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
220-4569-01.4110	Salaries and Wages	50,000
220-4569-01.4140	Roster Wages	35,000
220-4569-01.4410	Longevity	2,339
220-4569-01.4510	FICA Contribution	9,567
220-4569-01.4520	Retirement Contribution	4,200
220-4569-01.4610	Health Coverage-Active	6,089
220-4569-01.4650	Dental Coverage- Active	670
220-4569-01.4710	Life Insurance-Active	468
220-4569-01.5211	Postage	1,000
220-4569-01.5212	Computer Software	10,000
220-4569-01.5213	Office Supplies	500
220-4569-01.5221	Advertising	3,000
220-4569-01.5222	Professional Organizational Dues	2,000
220-4569-01.5223	Subscriptions	500
220-4569-01.5224	Outside Printing & Publishing	2,000
220-4569-01.5235	Small Tools & Equipment	500
220-4569-01.5239	Miscellaneous Supplies	1,000
220-4569-01.5254	Rental Equipment	500
220-4569-01.5261	Books	500
220-4569-01.5413	Consultant Services	425,968
220-4569-01.5431	In-House Printing	3,500
220-4569-01.5510	Business & Meeting Expenses	3,500
220-4569-01.5520	Seminar/Training Expense	5,000
220-4569-01.5928	In-Kind Services	141,950
220-4569-01.6059	Other Capital Equipment	<u>10,000</u>
<b>Total</b>		<b>719,751</b>

And that this increase be financed by increasing the following State, Federal and Other Grants Fund Accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4569-01.7110	State Grant	\$567,801
220-4569-01.7170	Local Government Grant	\$10,000
220-4569-01.8695	Local In-Kind Services	<u>\$141,950</u>
<b>Total</b>		<b>\$719,751</b>

**Section 2**

And, that this ordinance should become effective upon adoption.



Attachment B

RESOLUTION APPROVING THE FY 2006-2007 UNIFIED PLANNING  
WORK PROGRAM FOR THE GREENSBORO URBAN AREA

A motion was made by TAC Member Doug Galyon and seconded by TAC Member Kirk Perkins for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, a comprehensive and continuing transportation planning program must be carried out cooperatively in order to ensure that funds for transportation projects are effectively allocated to the Greensboro Urban Area Metropolitan Planning Organization; and

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization has been designated as the recipient of Federal Transit Administration Metropolitan Planning Program funds; and

WHEREAS, members of the Greensboro Urban Area Transportation Advisory Committee agree that the Planning Work Program will effectively advance transportation planning for Fiscal Year 2006-2007.

NOW, THEREFORE, be it resolved that the Transportation Advisory Committee hereby endorses the Fiscal Year 2006-2007 Unified Planning Work Program for the Greensboro Urban Area on this, the 22<sup>nd</sup> day of February, 2006.

\*\*\*\*\*

I, Sandy Carmany, TAC Chair  
(Name of Certifying Official) (Title of Certifying Official)

do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Greensboro Urban Area TAC duly held on this, the 22<sup>nd</sup> day of February, 2006.

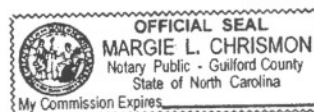
*Sandy Carmany*  
Chair, Transportation Advisory Committee

\*\*\*\*\*

Subscribed and sworn to me this, the 22<sup>nd</sup> day of February, 2006.

*Margie L. Chrismon*  
Notary Public

My commission expires 6-23-07.





City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Resolution authorizing City Attorney to institute proceedings to condemn portion of the property of R. Graham Fripp in connection with the Summit Avenue Sewer Outfall Project

Department:	Legal	Current Date:	June 23, 2006
Contact 1:	Becky Jo Peterson-Buie	Public Hearing:	NA
Phone:	373-2320	Advertising Date:	NA
Contact 2:	Linda Miles	Advertised By:	NA
Phone:	373-2320	Authorized Signature:	<i>J. Peterson-Buie</i>
Attachments:	Map		

**PURPOSE:** R. Graham Fripp is the owner of certain property located in Monroe Township and designated as Tax Map 4-193-458-14, 12 & 1 (part of) which is required by the City in connection with the Summit Avenue Sewer Outfall Project. Unable to negotiate a purchase price, Property Management is asking Council for authorization to initiate condemnation proceedings.

**BACKGROUND:** Property Management Department personnel have been unable to negotiate a purchase within the appraised value of \$25,590.00. Consequently, it is recommended that the City Council adopt a resolution authorizing the City Attorney to institute proceedings to condemn said property.

In addition, in order that the City may take possession, it is recommended that the City Council authorize payment of the appraised amount to the Clerk of Superior Court for disbursement to the owner.

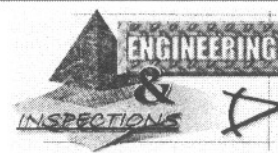
**BUDGET IMPACT:** Funding is available in Account Number 511-7062-01.6017 Activity # 04152.

**RECOMMENDATION/ACTION REQUESTED:** City Council to approve resolution authorizing the City Attorney to institute proceedings to condemn portion of the property of R. Graham Fripp in connection with the Summit Avenue Sewer Outfall Project.



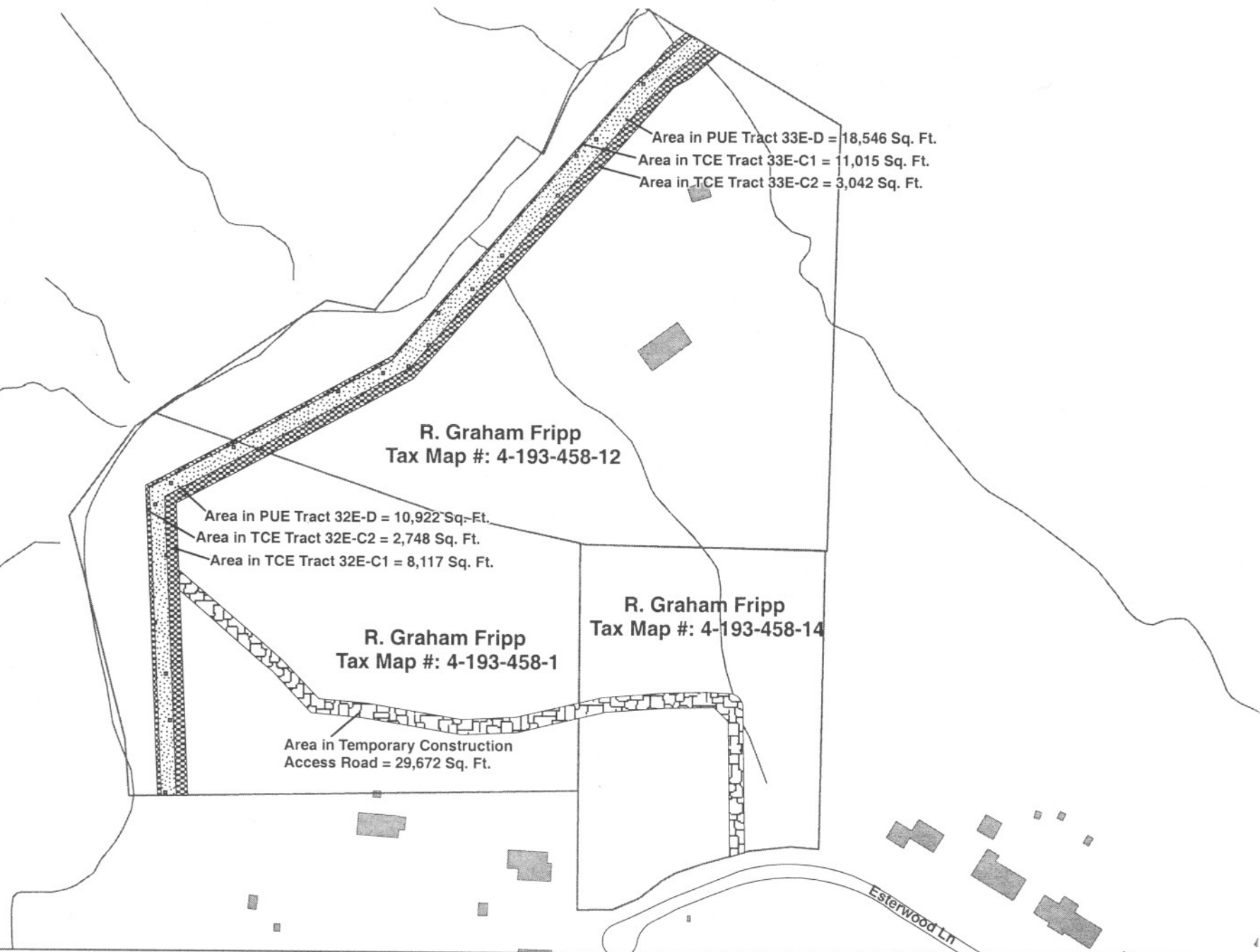
## Engineering Records Map 556

Project: P04340 Summit Ave Outfall  
Owner: R. Graham Fripp  
Address: 3501 R1, 3605, & 3607 Esterwood Ln  
Tax Map #: 4-193-458-1,14, & 12



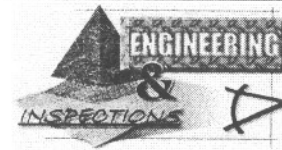
## Engineering Records Map 557

Compiled By: M. Milton  
06-14-06



## Engineering Records Map 557

Project: P04340 Summit Ave Outfall  
Owner: R. Graham Fripp  
Address: 3501 R1, 3605, & 3607 Esterwood Ln  
Tax Map #: 4-193-458-1, 14, & 12



Engineering Records Map 557  
Compiled By: M. Milton  
06-14-06



City of Greensboro  
**City Council**  
Agenda Item

**TITLE: Rescinding Resolution for Lake Jeanette Road Sewer Extension**

Department:	Engineering & Inspections	Current Date:	June 26, 2006
Contact 1:	Donald Arant	Public Hearing:	N/A
Phone:	373-2465	Advertising Date:	N/A
Contact 2:	Thomas Cordell	Advertised By:	N/A
Phone:	373-2039	Authorized Signature:	<i>DH Christ</i>
Attachments:	Records and Vicinity Map #537		

**PURPOSE:**

Rescinding a Council Resolution to install a sewer main from a manhole at the intersection of Lake Jeanette Road and Kitly Court to serve the southwest corner of 4517 Lake Jeanette Road. City Council action is required.

**BACKGROUND:**

On February 21, 2006, City Council authorized the installation of a 8 " sanitary sewer main to be extended from an existing manhole at the intersection of Lake Jeanette Road and Kitly Court to serve the southwest property corner of 4517 Lake Jeanette Road. The proposed route the sanitary sewer main would take to serve the property has changed.

**BUDGET IMPACT:**

This action will have no impact on the City budget as it is a request to rescind the sanitary sewer improvement on an authorized project.

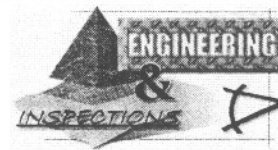
**RECOMMENDATION / ACTION REQUESTED:**

City Council is requested to rescind the February 21, 2006 resolution authorizing the following improvements on the basis of public necessity: A sewer main from a manhole at the intersection of Lake Jeanette Road and Kitly Court to serve the southwest corner of 4517 Lake Jeanette Road.



### Vicinity Map for

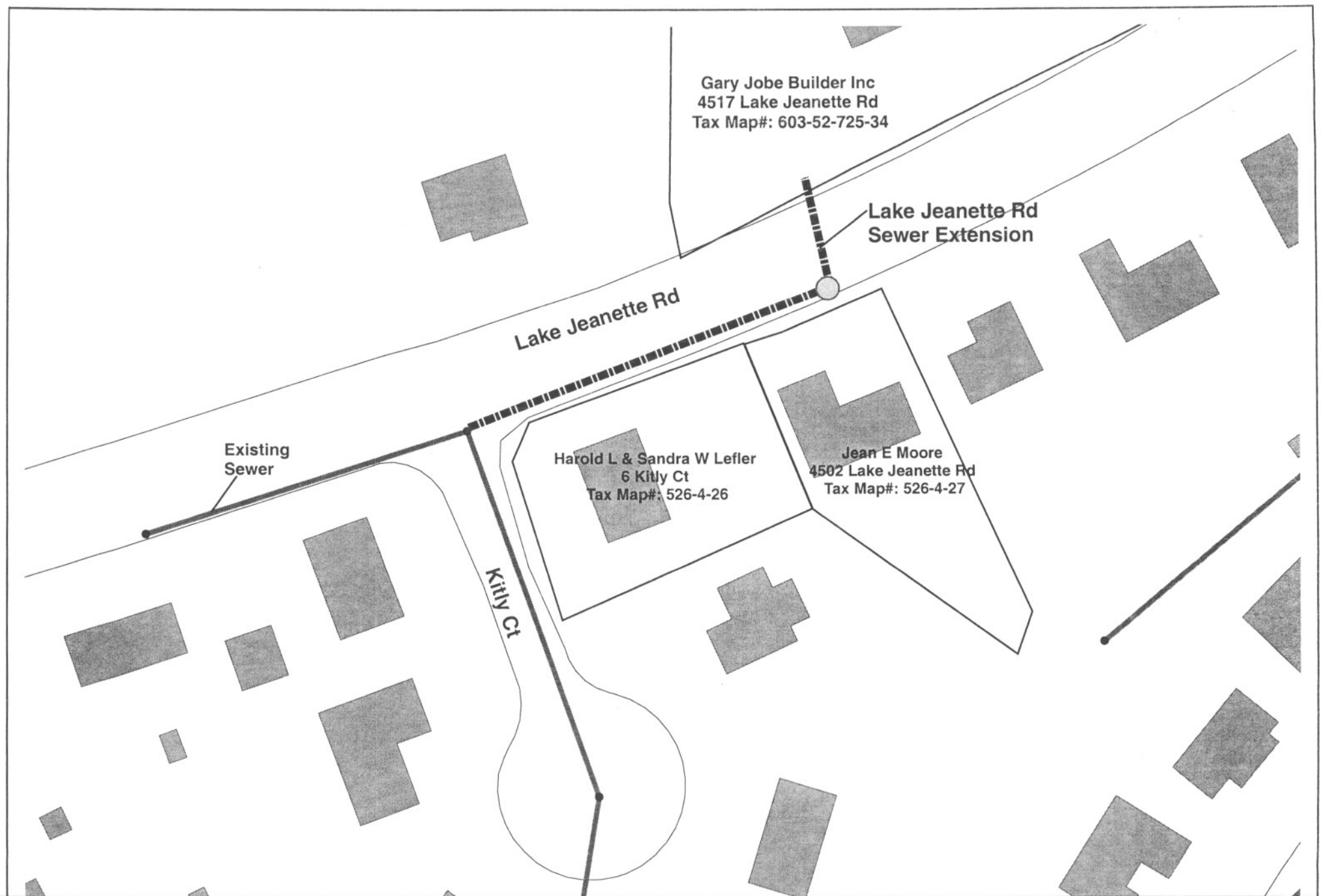
Project: Lake Jeanette Road Sewer Extension  
Owners: Harold & Sandra Lefler, Jean Moore, Gary Jobe Builder Inc  
Address: 4502 & 4517 Lake Jeanette Rd, 6 Kitly Ct  
Tax Map #: 628-4-27, 603-52-725-34, 628-4-26



Engineering Records Map 537

Compiled By: M. Milton  
12-05-05





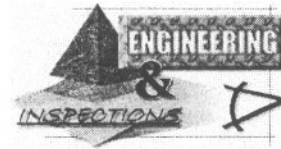
### Engineering Records Map 537

Project: Lake Jeanette Road Sewer Extension

Owners: Harold & Sandra Lefler, Jean Moore, Gary Jobe Builder Inc

Address: 4502 & 4517 Lake Jeanette Rd, 6 Kitty Ct

Tax Map #: 628-4-27, 603-52-725-34, 628-4-26



Engineering Records Map 537

Public Necssity

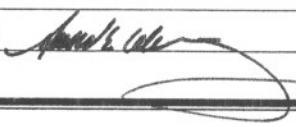
Compiled By: M. Milton

12-05-05



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Reidsville Chloramine Conversion Reimbursement, Change Order #1

Department:	Water Resources	Current Date:	June 22, 2006
Contact 1:	Allan E. Williams, PE	Public Hearing:	N/A
Phone:	373-2055	Advertising Date:	N/A
Contact 2:	Kevin E. Eason, PE	Advertised By:	N/A
Phone:	373-2895	Authorized Signature:	

Attachments:

**PURPOSE:** Additional costs have been identified in the construction of Reidsville's Chloramine Conversion process, of which Greensboro agreed to pay half. The Water Resources Department has reviewed the change order and City Council approval is needed.

**BACKGROUND:** City Council authorized contract 2005-1342 on July 19, 2005 in the amount of \$241,500 for reimbursement of ½ of the cost of Reidsville's expense for changing to chloramine disinfection to comply with Safe Drinking Water Act requirements.

When the city entered into an agreement to purchase water from Reidsville in 1999, we agreed to pay a proportionate expense of any regulatory cost impacts to their water system equivalent to the capacity of their water system that is dedicated to Greensboro. At the time of Council's authorization of reimbursement, the engineer's estimate for the project was \$483,000, of which the City agreed to pay half. Now that the construction phase of the project has begun, construction bids exceeded the engineer's estimate, and the revised cost of the project is \$652,678.

Therefore, Greensboro's reimbursement obligation is now half of \$652,678, or \$326,339. Change order #1 in the amount of \$84,839 is needed to increase the contract to the total reimbursement amount.

**BUDGET IMPACT:** The additional funds needed for this change order are budgeted in account number 503-7002-01.6019 Activity 05181.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended by the Water Resources Department that City Council approve change order #1 in the amount of \$84,839 to increase the amount of contract 2005-1342.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Ordinances amending Chapter 6 of the Greensboro Code of Ordinances with respect to Building and Building Regulations

Department:	Legal	Current Date:	7-5-06
Contact 1:	Dan Reynolds	Public Hearing:	n/a
Phone:	412-6216	Advertising Date:	n/a
Contact 2:	Butch Simmons	Advertised By:	n/a
Phone:	2329	Authorized Signature:	
Attachments:	Ordinance		

**PURPOSE** The purpose of the amendment is to restore the Journeyman Programs, including the Examining Boards for electrical, plumbing and heating and refrigeration.

**BACKGROUND** Because of past difficulties finding persons to serve on the Examining Board for electrical, heating and refrigeration and plumbing, the Council, on December 16, 2003, adopted staff's recommendation and deleted ordinance provisions related to the Boards. This action, in effect, canceled Journeyman Program *in toto*. Staff had not intended to recommend abolishment of Journeyman Programs. The Journeyman Programs are still needed and desired by contractors. The proposed amendment would re-establish the Examining Boards and restore the Journeyman Programs. The amendment would require that each Board be constituted of three members and one ex officio member rather than five members, as had been required under the previous ordinance. The proposed amendment would also increase the application fee from \$40 to \$50 and the renewal fee from \$5 to \$25.

**BUDGET IMPACT** None

**RECOMMENDATION/ACTION REQUESTED** It is recommended that the City Council adopt the attached Ordinances amending Chapter 6 of the Greensboro Code of Ordinances with respect to Buildings and Building Regulations.

## **AMENDING CHAPTER 6**

### **AN ORDINANCE AMENDING CHAPTER 6 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO BUILDINGS AND BUILDING REGULATIONS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO**

Section 1. That Chapter 6 of the Greensboro Code of Ordinance is hereby amended to add a new Sect. 6-136 to read as follows:

#### **Sec. 6-136. Board of electrical examiners.**

- (a) There is hereby created a board to be known as the Greensboro Board of Electrical Examiners.
- (b) The board shall be composed of three (3) members. One (1) member shall be a representative of the fire department designated by the Fire Chief, one (1) member shall be a licensed electrical contractor or a certified electrical service person designated by the Director of the City's Engineering and Inspections Department, and one (1) member shall be a representative of the public appointed by the council. The electrical inspector shall serve ex officio as a member. The members of the board shall be appointed for terms to expire on August 15. The time fixed herein for appointment is directory not mandatory.
- (c) The board shall
  - (1) Establish standards and procedures for the qualification, examination and licensing of journeyman electricians and issue an appropriate license to each person who meets the qualifications therefore and successfully passes the examination given by the board.
  - (2) Keep an official record of all its transactions.
  - (3) Perform such other duties as may be assigned it from time to time by the council.
  - (4) Meet at such intervals as may be necessary for the proper performance of duties, but in any case not less than once a year.

Section 2. That Chapter 6 of the Greensboro Code of Ordinance is hereby amended to add a new Sec. 6-137 of the Greensboro Code of Ordinance to read as follows:

**Sec. 6-137. Licensing, etc., generally.**

(a) No person shall install, alter, repair, make extensions or connect any fixture or current consuming device (except lamps and appliances connected by means of attachment plug) to any electrical wiring system for which an electrical permit is required, whether employed by an electrical contractor, firm, corporation or otherwise, unless he is a qualified electrician or works under the direct supervision of a qualified journeyman electrician or qualified electrical contractor.

(b) No electrical contractor, firm or corporation shall authorize the installation of electrical wiring by any person in violation of subsection (a).

(c) For the purposes of this section a "qualified electrician" shall mean any person:

(1) Who has qualified for a limited electrician's license issued by the state;

(2) Who has qualified for an intermediate electrician's license by the state;

(3) Who has qualified for an unlimited electrician's license issued by the state;

(4) Who has qualified for a single family detached residential dwelling electrician's license issued by the state; or

(5) Who is qualified as journeyman electrician by the board of electrical examiners of the city or its equal.

(d) No person shall use an expired or revoked electrical license.

Section 3. That Chapter 6 of the Greensboro Code of Ordinance is hereby amended to add a new Sec. 6-138 of the Greensboro Code of Ordinance to read as follows:

**Sec. 6-138. Local licensing and examination of journeymen.**

(a) No application shall be accepted for a journeyman electrician's license unless the applicant has had four (4) years training and experience in the electrical field. Any person desiring to be licensed as a journeyman

electrician shall make written application to the board, accompanied by an examination fee of fifty dollars (\$50.00) which is not returnable. Any person who fails to pass an examination as prescribed by the board may apply for reexamination after the expiration of thirty (30) days upon payment of the regular examination fee. There shall be an annual charge of twenty-five dollars (\$25.00) for renewing a journeyman electrical license.

(b) Holders of journeyman electrical licenses shall be furnished by the board of electrical examiners with evidence of their having been licensed, in card form or otherwise, which shall be carried on the person of the holder while he is engaged in electrical work and shall be exhibited on request of the electrical inspector or of any person on whose premises the holder is working. This license is automatically revoked if the journeyman discontinues engaging in the electrical field for a period of twelve (12) months, or if the journeyman is not performing his duties as determined by the board.

(c) The board may issue a temporary license pending the examination, provided the applicant holds a similar license from an equivalent board. Such permit shall not be valid for more than sixty (60) days.

(d) An appeal from the decision of the board upon the denial of a license shall be only for errors of law and shall be taken to the superior court by certiorari.

Section 4. That Chapter 6 of the Greensboro Code of Ordinance is hereby amended to add a new Sec. 6-139 of the Greensboro Code of Ordinance to read as follows:

**Sec. 6-139. Restriction on issuance of electrical contractor's license.**

No person shall be issued a license to do electrical contracting with the city until he submits evidence that he holds an electrical contractor's license issued by the state.

Section 5. That Chapter 6 of the Greensboro Code of Ordinance is hereby amended to add a new Sec. 6-140 of the Greensboro Code of Ordinance to read as follows:

**Sec. 6-140. Supervision of apprentices.**

There shall not be more than two (2) apprentice electricians working under the direct supervision of each qualified electrician at any time.



Section 6. That Chapter 6 of the Greensboro Code of Ordinance is hereby amended to add a new Sec. 6-241 of the Greensboro Code of Ordinance to read as follows:

**Sec. 6-241. Heating and Refrigeration Examining Board.**

There is hereby created a board to be known as the heating and refrigeration examining board.

(a) The board shall consist of three (3) members. One (1) member shall be a representative of the fire department designated by the Fire Chief, one (1) member shall be a licensed heating contractor or a certified heating and refrigeration service person designated by the Director of the City's Engineering & Inspections Department, and one (1) member shall be a representative of the public appointed by the council. The building inspector shall be an ex officio member of the board. Each member of the board shall have had at least five (5) years experience in his respective field. The members of the board shall be appointed for terms to expire on August 15. The time herein fixed for appointment is directory and not mandatory.

(b) The board shall meet at such intervals as may be necessary for the proper performance of its duties, but in any case not less than one year.

(c) The board shall establish standards and procedures for the qualification examination and licensing of heating and/or cooling mechanics, shall issue an appropriate license to each person who meets the qualifications therefore and successfully passes the examination given by the board, and shall perform such other duties as may be assigned it from time to time by the council. The board shall keep an official record of all its transactions.

Section 7. Sec. 2 That Chapter 6 of the Greensboro Code of Ordinance is hereby amended to add a new Sec. 6-242 of the Greensboro Code of Ordinance to read as follows:

**Sec. 6-242. Examination of mechanics.**

(a) No person shall engage in the business or trade of installing or servicing of refrigeration, heating and/or cooling equipment as a mechanic without submitting to an examination by, and securing a certificate from, the heating and refrigeration examining board. Any person who has been licensed by the state board of examiners of refrigeration or plumbing and/or heating contractors shall be exempt from examination by the heating and refrigeration examining board.

(b) Any person who fails to pass an examination as prescribed by the board may apply for reexamination after the expiration of thirty (30) days upon payment of the regular examination fee.

(c) Any person required to take a local examination and to be licensed as a heating and/or cooling mechanic shall make written application to the board. Examination fees for heating and/or cooling mechanics' licenses shall be fifty dollars (\$50.00) which is not returnable. Any person who fails to pass an examination as prescribed by the board may apply for reexamination after the expiration of thirty (30) days upon payment of the regular examination fee. There shall be an annual fee of twenty-five dollars (\$25.00) for renewal of a certificate as a licensed heating and/or cooling mechanic.

(d) Holders of mechanic's certificates shall be furnished by the board of examiners with evidence of their having been certified, in card form or otherwise, which shall be carried on the person of the holder while he is engaged in refrigeration, heating and/or cooling equipment installation and shall be exhibited on request of the building inspector or of any person on whose premises the holder is working.

(e) An appeal from the decision of this board upon denial of a license shall be only for errors of law and shall be taken to the superior court by certiorari.

Section 8. That Chapter 6 of the Greensboro Code of Ordinance is hereby amended to add a new Sec. 6-276 of the Greensboro Code of Ordinance to read as follows:

**Sec. 6-276. Board of plumber examiners.**

(a) There is hereby created a board to be known as the Greensboro Board of Plumber Examiners.

(b) The board shall be composed of three (3) members. One (1) member shall represent the county health department and shall be designated by the Director of the City's Engineering & Inspections Department, one (1) member shall be a plumbing contractor or a certified plumbing service person designated by the Director of the City's Engineering & Inspections Department, and one (1) member shall be a representative of the public appointed by council. The plumbing inspector shall serve as an ex officio member. The members of the board shall be appointed for terms to expire as of August 15. The time herein fixed for appointment is directory and not mandatory.

(c) The duties of the board shall be as follows:

(1) To establish standards and procedures for the qualification, examination and licensing of journeymen plumbers, and to issue an appropriate license to each person who meets the qualifications therefore and successfully passes the examination given by the board.

(2) To keep an official record of all its transactions.

(3) To perform such other duties as may be assigned it from time to time by the council.

(4) To meet at such intervals as may be necessary for the proper performance of its duties, but in any case, not less than once a year.

(d) An appeal from the decision of the board upon the denial of a license shall be only for errors of law and shall be taken to the superior court by certiorari.

Section 9. That Chapter 6 of the Greensboro Code of Ordinance is hereby amended to add a new Sec. 6-277 of the Greensboro Code of Ordinance to read as follows:

**Sec. 6-277. Examination procedure.**

(a) No person shall engage in the business or trade of installing or servicing a system of pipes, fixtures, apparatus and appurtenances upon premises or in a building in order to supply or convey water, sewage or waste to or from such premises or building without submitting to an examination by, and securing a certificate from, the board of plumber examiners. Any person who has been licensed by the state to engage in plumbing shall be exempt from examination by the board.

(b) Any person desiring to be licensed as a journeyman plumber shall make written application to the board of plumber examiners, accompanied by an examination fee of fifty dollars (\$50.00) which is not returnable. Any person who fails to pass an examination as prescribed by the board may apply for reexamination after the expiration of thirty (30) days upon payment of the regular examination fee. There shall be an annual renewal fee of twenty-five dollars (\$25.00) for a journeyman card.

Section 10. Sec. 2 That Chapter 6 of the Greensboro Code of Ordinance is hereby amended to add a new Sec. 6-278 of the Greensboro Code of Ordinance to read as follows:

**Sec. 6-278. Temporary certificate.**

The board of plumber examiners may issue a temporary license pending examination, provided the applicant holds a similar license from an equivalent board. Such permit shall not be valid for more than sixty (60) days.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Resolution authorizing Encroachment Agreement with Church Street Medical, LLC for the construction and use of a new driveway on City property located at 1512 North Church Street and accepting a cross easement from Church Street Medical LLC for use of its driveway and entrance

Department:	Legal	Current Date:	7-6-06
Contact 1:	Chris Spencer	Public Hearing:	n/a
Phone:	433-7218	Advertising Date:	n/a
Contact 2:	ToNola Brown-Bland	Advertised By:	n/a
Phone:	2320	Authorized Signature:	
Attachments:			

**PURPOSE** To allow Church Street Medical LLC to construct and use a driveway that encroaches on City property (1512 North Church Street (the fire training facility)) in exchange for a cross access easement allowing the City to use the driveway and to make a curb cut for vehicle and machine access.

**BACKGROUND** GDOT requested Church Street Medical LLC, as part of its office building construction plans, to align its driveway with and across from Tankersley Drive, which will be moved as part of the Church Street Improvement project. In order to align the driveway as requested, Church Street Medical has asked that it be allowed to encroach on City-owned property. In exchange for the right to encroach, the City will receive a cross access easement that will assure the City has an entrance on the south side of its property in the event that it is needed in the future.

**BUDGET IMPACT** None

**RECOMMENDATION/ACTION REQUESTED** It is recommended that the City Council adopt a resolution permitting Church Street Medical LLC to encroach upon City property at 1512 North Church Street and accepting a cross easement from Church Street Medical LLC for use of its driveway and entrance.

**NORTH CAROLINA**

**ENCROACHMENT AGREEMENT**

**GUILFORD COUNTY**

THIS AGREEMENT, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_ 2006, by and between the CITY OF GREENSBORO, Grantor; and CHURCH STREET MEDICAL, LLC, Grantee.

**WITNESSETH:**

THAT WHEREAS, Grantee is the owner of certain real property located at 1128 North Church Street, Greensboro, North Carolina and desires to construct on said property an office building with a driveway and entrance that is aligned with and across from Tankersley Drive,

WHEREAS, Grantor owns that certain real property located at 1512 North Church Street Greensboro, North Carolina and whereas Grantor's said property shares a common property line on the north side of Grantee's said property;

WHEREAS, in order to align its entrance and driveway with and across from Tankersley Drive after said street has been realigned by the City of Greensboro Department of Transportation as part of the Church Street roadway improvement project, Grantee has requested permission to encroach onto the Grantor's said property at 1512 North Church Street, said encroachment to be in the nature of a limited license agreement for the construction, installation and use of a driveway and entrance for the purpose of ingress and egress onto Grantee's property;

WHEREAS, construction, installation and use of the driveway and entrance by Grantee is not intended for any use apart from the business of Grantee as the owner of an office building to be constructed on Grantee's said real property;

WHEREAS, Grantee shall be responsible for the removal, adjustment or alteration of the driveway or entrance at the request of Grantor in the event of the need for relocation or at the end of the need for the driveway or entrance all in accordance with the Grantor's standards;

WHEREAS, Grantee agrees to maintain the driveway and entrance in a safe condition and agrees to hold the Grantor harmless from any and all loss, claims, actions, suits, demands or liabilities of any nature to persons or property arising out of or due to any act or omission related to the construction, location, maintenance and use of the driveway and entrance located on the Grantor's property, and agrees to remove any or all of the driveway and entrance from the encroachment space at the request of the Grantor, without any cost to the Grantor. Such request shall not be arbitrary or unreasonable;



NOW, THEREFORE, IT IS AGREED that the Grantor hereby grants to Grantee the right and privilege to encroach upon Grantor's property at 1512 North Church Street, Greensboro, North Carolina within the limits as described herein and as shown on Attachment A hereto upon the following conditions:

1. Grantee is granted a 6075.43 square foot temporary construction easement for all of that area north of the 5-foot Landscape Yard extending to and bounded on the north by the Grantor's southernmost property line at 1512 North Church Street, running west beyond the 20' x 200' sight distance line to include that area west of the sight distance line and north of the curb line, as shown on the map attached hereto as Attachment A, said temporary construction easement to expire one year from the day and year first above written.
2. Grantee is granted a 2995.20 square foot permanent use and maintenance easement for all of that area south of and including the 5-foot Landscape Yard extending to and bounded on the south by the northernmost property line of the Grantee at 1128 North Church Street, as shown on the map attached hereto as Attachment A, so long as it is used for purposes of ingress and egress in connection with use of the office building constructed on Grantee's property.
3. Grantee grants to Grantor a 6892 square foot permanent cross access easement for all that area south of the permanent easement granted to Grantee hereinabove extending to and bounded on the south by the southernmost curb line of the driveway on Grantee's property at 1128 North Church Street, with the right to make a single curb cut, for the purpose of ingress and egress to and from the Grantor's property at 1512 North Church Street. Grantee agrees that the Grantor may use the cross access easement for ingress and egress by emergency vehicles and related machinery.
4. Grantee will not move, damage or in any manner disturb the existing chain link fence (shown on the map attached hereto as Attachment A) on or adjacent to the northern line of the temporary easement granted herein by the Grantor.
5. Grantee hereby guarantees that the encroachment on the Grantor's property will neither cause a public nuisance nor unreasonably interfere with the use of the streets and sidewalks by the public or public utilities.
6. Grantee shall indemnify, defend and save harmless the Grantor from any and all suits, actions, claims, demands, liability of any nature whatsoever arising out of the construction, location and maintenance of the driveway and entrance (including the Landscape Yard) located upon the Grantor's property, and shall remove any or all of the driveway and entrance (including the Landscape Yard) from the encroachment space at the request of the Grantor, without any cost to the Grantor. Such request shall not be arbitrary or unreasonable.
7. Grantee shall maintain the driveway and entrance in a safe condition.

8. Grantee, during the construction and installation of the driveway and entrance (including the Landscape Yard), agrees that it will require that the contractor hired to construct and build the driveway and entrance shall not discriminate on the grounds of race, color, creed, religion, gender, age, disability or national origin in the selection and retention of subcontractors, including the procurement of materials and leases of equipment.

IN WITNESS WHEREOF, each of the parties to this agreement has caused the same to be executed in duplicate originals the day and year first above written.

WITNESS: CHURCH STREET MEDICAL, LLC

By: \_\_\_\_\_ By: \_\_\_\_\_  
Manager

Recommended:

By: \_\_\_\_\_ By: \_\_\_\_\_  
Engineering & Inspections Assistant City Attorney

ATTESTED BY: CITY OF GREENSBORO

By: \_\_\_\_\_ By: \_\_\_\_\_  
City Clerk City Director of Finance

By: \_\_\_\_\_  
City Manager

\*\*\*\*\*

NORTH CAROLINA  
GUILFORD COUNTY

I, the undersigned Notary Public for said County and State, certify that \_\_\_\_\_ personally came before me this date and acknowledged that he/she is a Manager of CHURCH STREET MEDICAL, LLC, a limited liability company, and that, he/she, as Manager being authorized to do, executed the foregoing document on behalf of the limited liability company.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

Printed Name: \_\_\_\_\_

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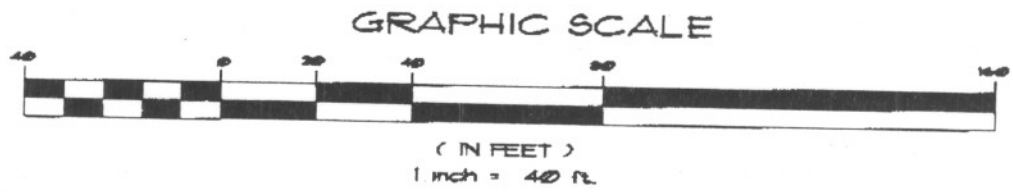
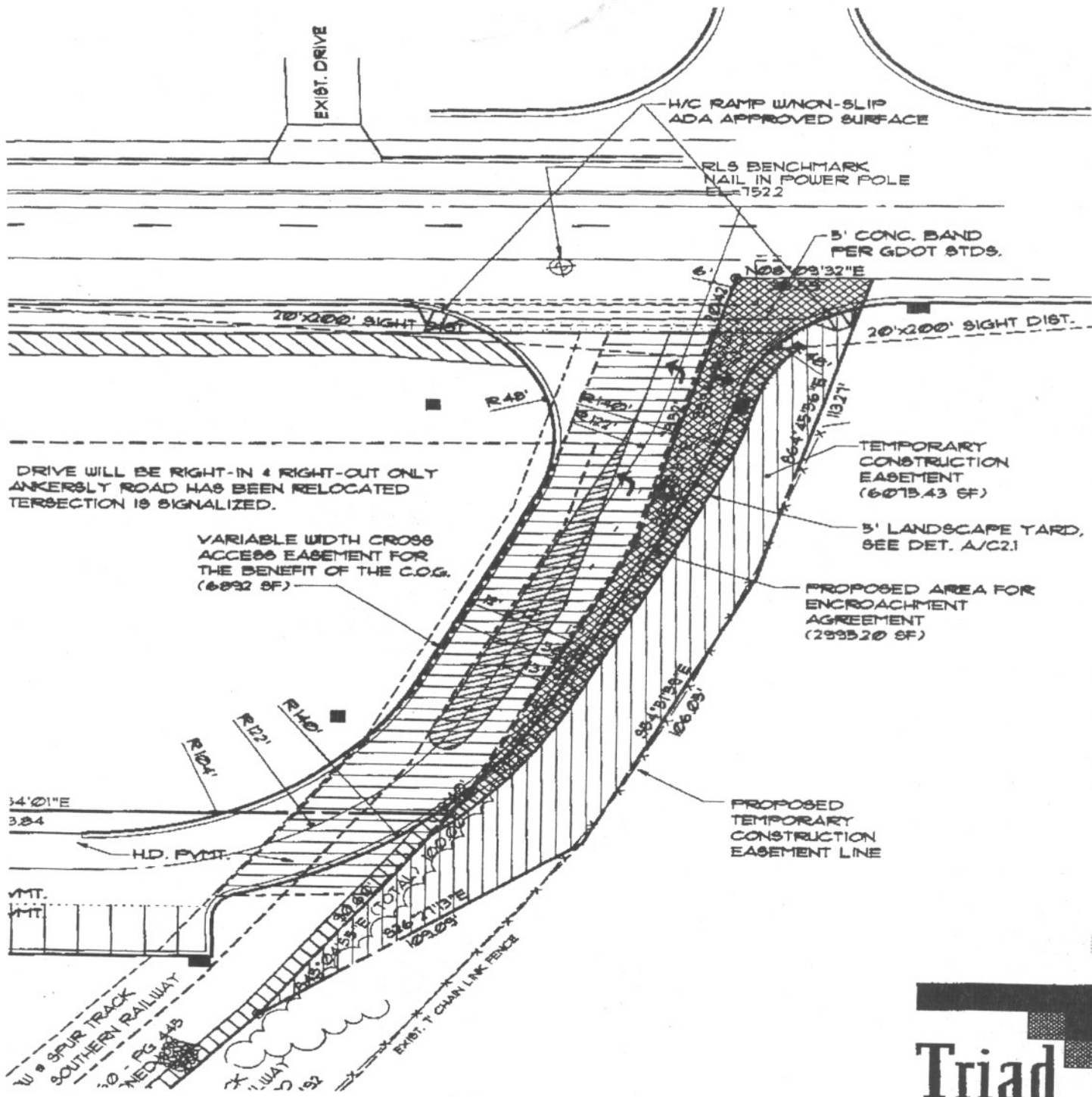
NORTH CAROLINA  
GUILFORD COUNTY

I, the undersigned Notary Public for said County and State, certify that \_\_\_\_\_  
\_\_\_\_\_ personally came before me this date and acknowledged that he/she is  
the City Clerk/Deputy City Clerk of the City of Greensboro, North Carolina, and that, by  
authority duly given and the act of the Corporation, the foregoing document was signed in its  
name by its mayor, sealed with its corporate seal, and attested by him/herself as its City  
Clerk/Deputy City Clerk.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_



Marshall Medical  
Office Building  
1128 N. Church St.  
Gilmer Township  
Guilford County  
Greensboro, NC



ARCHITECTURE  
ENGINEERING  
PLANNING  
INTERIOR DESIGN

4807-C Koger Boulevard  
Greensboro, NC 27407  
Telephone 336-218-8282  
Fax 336-218-8010  
www.triad-designgroup.com  
TDG Project No. 04-020

July 18, 2006



City of Greensboro  
**City Council**  
Agenda Item

**TITLE: Solid Waste Transfer Station: 2005-040 – Change Order #1**

Department:	Facilities Management Division	Current Date:	3-July-2006
Contact 1:	Butch Shumate, FM Division Manager	Public Hearing:	N/A
Phone:	451-5550	Advertising Date:	N/A
Contact 2:	H. Reginald Lee, Facilities Mgmt.	Advertised By:	N/A
Phone:	451-5228	Authorized Signature:	<i>Butch Shumate</i>
Attachments:	None		

**PURPOSE:**

The new Solid Waste Facility is moving toward completion and to ensure the best and most efficient operation possible, Environmental Services has requested the installation of a fuel tank and fuel pumps at the new site. This will keep the large volume of vehicles from having to drive extra mileage to refuel. Facilities Management has reviewed and is in agreement with the change order and City Council approval is required to move forward.

**BACKGROUND:**

The purpose of this transfer facility is to replace/lessen the demand placed on the White Street Landfill. After exploring several refueling options, it has been determined the estimated fuel consumption of the equipment operating at this facility will be more demanding than the dispensing station at Fire Station 19, which is on West Market Street, can provide. Therefore, it has been concluded the Transfer Station would operate more efficiently by having its own fueling system given the constant operations of the site. The contractor, Laughlin-Sutton Inc. has submitted a change order in the amount of \$96,414.00 for installation of the tanks, pumps and associated equipment for the refueling system.

**BUDGET IMPACT:**

Presently Laughlin-Sutton contract is \$5,804,000.00. This request will increase their contract by \$96,414.00 which totals \$5,900,414.00. This is slightly less than a 2% increase. Funds for this increase are in Account Number 555-6509-01-6013 Activity No. 06070.

**RECOMMENDATION / ACTION REQUESTED:**

It is Environmental Services and Facilities Management's recommendation that City Council approve Change Order #1 in the amount of \$96,414.00.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE: Lake Jeanette Road Widening**

Department:	Engineering & Inspections	Current Date:	July 3, 2006
Contact 1:	Kathy Kimble	Public Hearing:	N/A
Phone:	373-2759	Advertising Date:	N/A
Contact 2:	Tony Cox	Advertised By:	N/A
Phone:	373-2302	Authorized Signature:	
Attachments:	Vicinity Map and Engineering Records Map		

**PURPOSE:**

The Property Management Section of the Engineering & Inspections Department is in the process of acquiring the right of way and easements for the Lake Jeanette Road Widening project. City Council approval is required to proceed with proposed transaction.

**BACKGROUND:**

An independent appraiser was hired to evaluate the value of the right of way and easements being taken for the property identified as Tax Map # 6-352-726-N-13 owned by Margaret Lewis Caviness. Property Management is confident that the appraised amount of \$15,976.00 is a fair price and request approval by City Council.

**BUDGET IMPACT:**

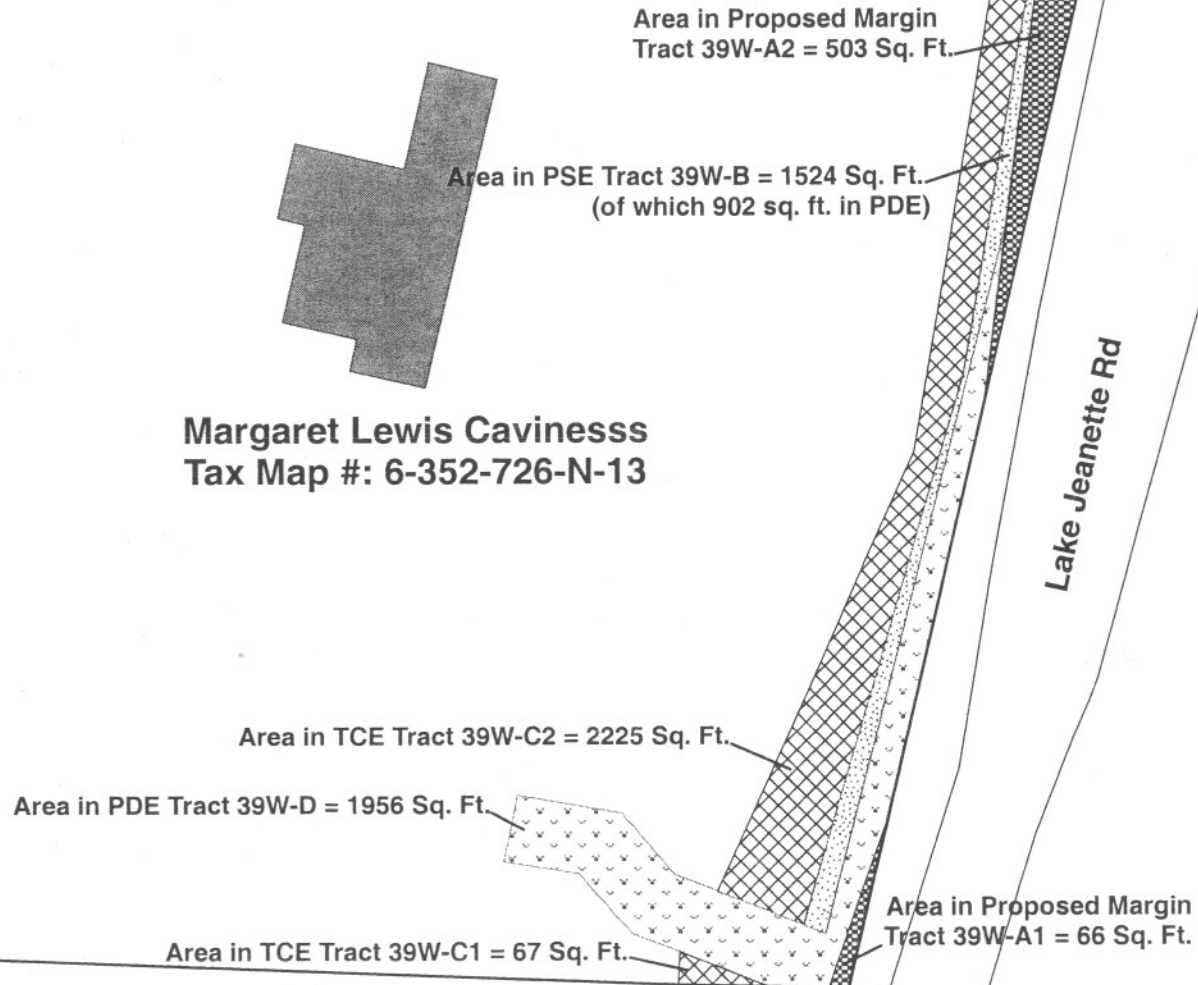
Funding is available in Account Number 441-6003-10.6012 Activity # 01067

**RECOMMENDATION / ACTION REQUESTED:**

Property Management recommends that City Council approve the appraised amount of \$15,976.00 for the purchase of the needed right of way, drainage, slope and temporary construction easements at 4307 Lake Jeanette Road for Lake Jeanette Road Widening.

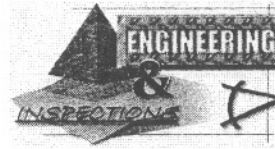


**Margaret Lewis Cavinesss  
Tax Map #: 6-352-726-N-13**



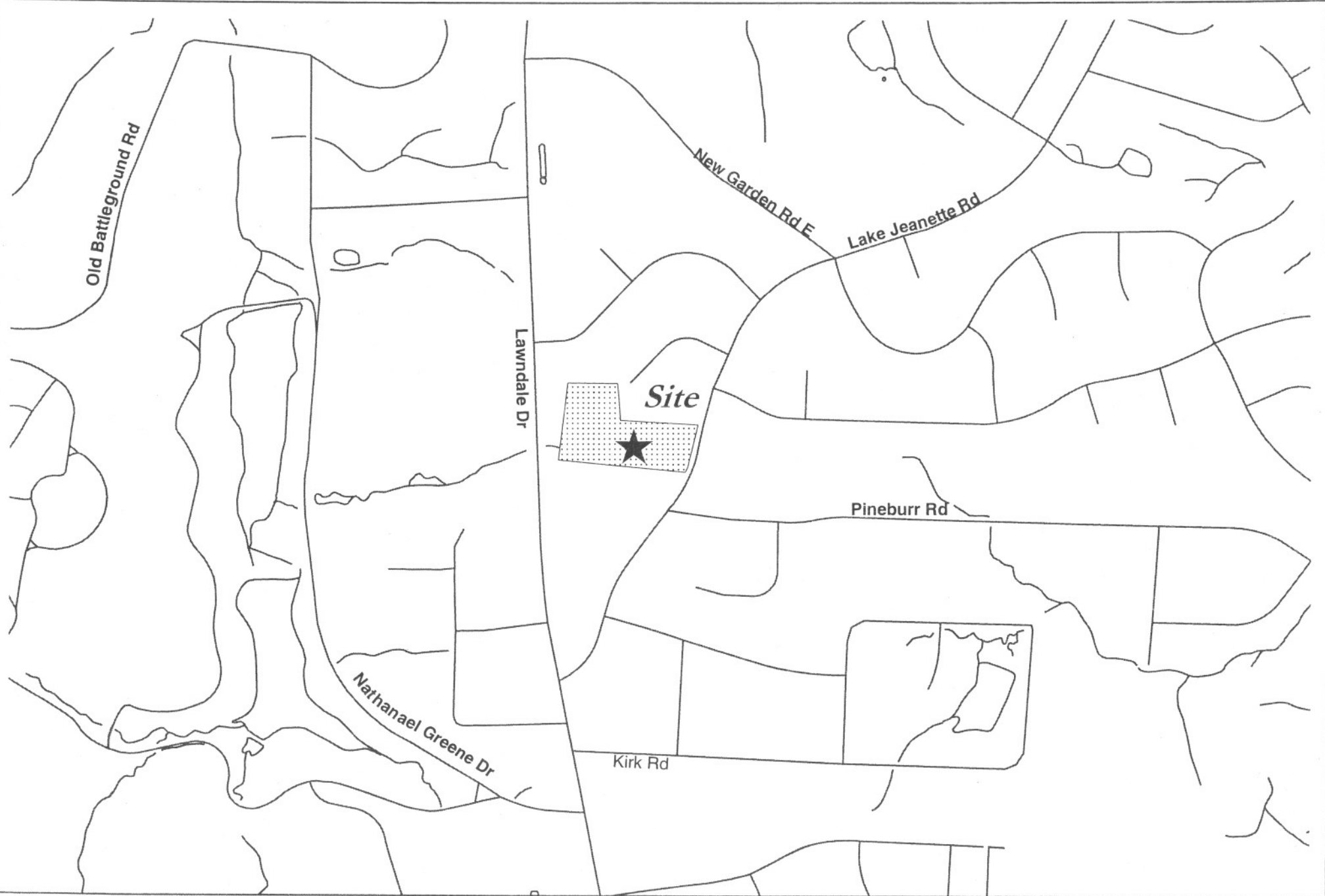
**Engineering Records Map 560**

Project: P03879 Lake Jeanette Widening  
Owner: Margaret Lewis Cavinesss  
Address: 4307 Lake Jeanette Rd  
Tax Map #: 6-352-726-N-13



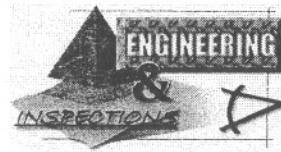
Engineering Records Map 560

Compiled By: M. Milton  
06-23-06



## Engineering Records Map 560

Project: P03879 Lake Jeanette Widening  
Owner: Margaret Lewis Cavinesss  
Address: 4307 Lake Jeanette Rd  
Tax Map #: 6-352-726-N-13



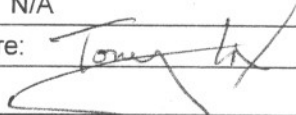
Engineering Records Map 560

Compiled By: M. Milton  
06-23-06



City of Greensboro  
**City Council**  
Agenda Item

**TITLE: Lake Jeanette Road Widening**

Department:	Engineering & Inspections	Current Date:	July 3, 2006
Contact 1:	Kathy Kimble	Public Hearing:	N/A
Phone:	373-2759	Advertising Date:	N/A
Contact 2:	Tony Cox	Advertised By:	N/A
Phone:	373-2302	Authorized Signature:	
Attachments:	Vicinity Map and Engineering Records Map		

**PURPOSE:**

The Property Management Section of the Engineering & Inspections Department is in the process of acquiring the right of way and easements for the Lake Jeanette Road Widening project. City Council approval is required to proceed with proposed transaction.

**BACKGROUND:**

An independent appraiser was hired to evaluate the value of the right of way and easements being taken for the property identified as Tax Map # 6-352-726-N-14 owned by June S. Trull. Property Management is confident that the appraised amount of \$21,530.00 is a fair price and request approval by City Council.

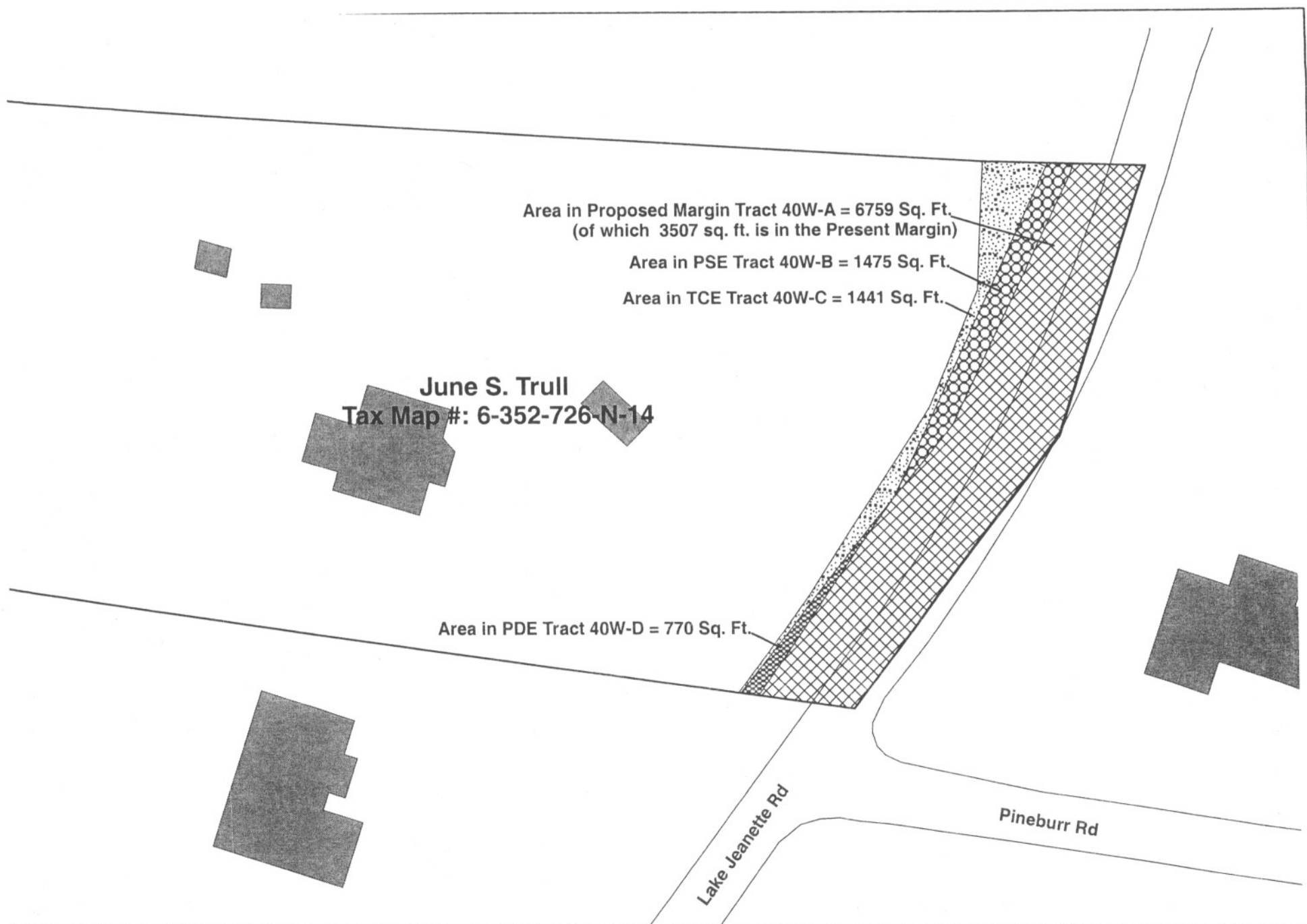
**BUDGET IMPACT:**

Funding is available in Account Number 441-6003-10.6012 Activity # 01067

**RECOMMENDATION / ACTION REQUESTED:**

Property Management recommends that City Council approve the appraised amount of \$21,530.00 for the purchase of the needed right of way, drainage, slope, and temporary construction easements at 4301 Lake Jeanette Road for the Lake Jeanette Road Widening.

OK



Area in Proposed Margin Tract 40W-A = 6759 Sq. Ft.  
(of which 3507 sq. ft. is in the Present Margin)

Area in PSE Tract 40W-B = 1475 Sq. Ft.

Area in TCE Tract 40W-C = 1441 Sq. Ft.

June S. Trull  
Tax Map #: 6-352-726-N-14

Area in PDE Tract 40W-D = 770 Sq. Ft.

Lake Jeanette Rd

Pineburr Rd

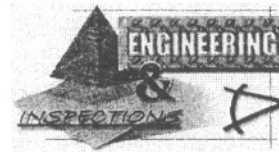
## Engineering Records Map 559

Project: P03879 Lake Jeanette Widening

Owner: June S. Trull

Address: 4301 Lake Jeanette Rd

Tax Map #: 6-352-726-N-14



Engineering Records Map 559

Compiled By: M. Milton

06-23-06



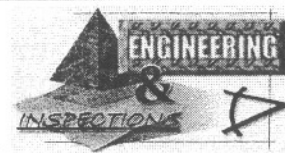
## Engineering Records Map 559

Project: P03879 Lake Jeanette Widening

Owner: June S. Trull

Address: 4301 Lake Jeanette Rd

Tax Map #: 6-352-726-N-14



Engineering Records Map 559

Compiled By: M. Milton

06-23-06



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Resolution calling public hearing for 7/31/06 on annexing territory to the corporate limits — 65.61 acres at 4220 and 4229 Pleasant Garden Road

Department:	Planning	Current Date:	7/7/06
Contact 1:	Steve Galanti	Public Hearing:	No
Phone:	373-2918	Advertising Date:	
Contact 2:	Dick Hails	Advertised By:	
Phone:	373-2922	Authorized Signature:	<i>RWHaus</i>
Attachments:	Attachment A: "PL(P)06-27" map		

**PURPOSE:**

Laura D. Clapp Trust and Marvin E. Baugh, Jerry W. Davis, and Park R. Davidson have petitioned the City for annexation of the property located at 4220 and 4229 Pleasant Garden Road. In order to consider the annexation covered by this petition, the City Council must set a public hearing.

**BACKGROUND:**

This property abuts a previous satellite annexation (the southeastern part of the Urban Loop) along its north side. Because City Council has approved annexation of an intervening property between the present primary city limits and the Urban Loop, the Urban Loop will become part of the primary city limits as of July 31.

The property covered by this petition is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan.

There are 2 houses on the property now, but it is proposed for development with up to about 270 multifamily units on the west side of Pleasant Garden Road and up to about 130 homes on the east side.

The nearest accessible water and sewer lines are quite a distance away. Development of a large property near the northwest corner of Pleasant Garden Road and the Urban Loop will bring lines much closer. Extension of water and sewer service to the property, and gaining design approval from the Water Resources Department, is the developer's responsibility.

Fire service can be provided to this property with moderate difficulty.

The Police Department estimates modest impact on its service provision, with a need for 0.23 additional officers at full build out.

Provision of other City services will involve a little bit of additional travel distance as compared to their provision to the previously-annexed property on the north side of the Urban Loop.



Payment of an acreage fee of two hundred dollars (\$200) per acre for water service and two hundred dollars (\$200) per acre for sewer service accompanied the annexation petition. "Any utility assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located in the City of Greensboro."

**BUDGET IMPACT:**

Initial service will be absorbed in the budget, but future service will have an incremental effect on future budgets.

**RECOMMENDATION / ACTION REQUESTED:**

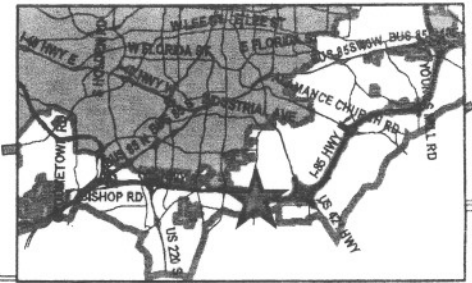
The Technical Review Committee (TRC) recommended this annexation to the Planning Board and to City Council. The Planning Board recommended this annexation at its June meeting on a vote of 6-0.

Accordingly, it is recommended that on July 18, 2006, the City Council adopt a resolution calling a public hearing for July 31, 2006, on the annexation of the above-mentioned property to the City of Greensboro.

**CITY COUNCIL**  
**July 31, 2006**

# ATTACHMENT A

**Effective:**  
**July 31, 2006**



PLEASANT GARDEN RD

BLUMENTHAL RD

I-95 HWY N

I-95 HWY S

**PROPOSED ANNEXATION**  
4220 & 4229 Pleasant Garden Rd  
TAX MAP: ACL 9-631-557-W-7 & 1  
65.61 Acres  
64.845 Acres outside street R/W)

**PL(P)06-27**

CARDEN CATE RD



1"= 400'  
SHEET  
264



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Resolution calling public hearing for 7/31/06 on annexing territory to the corporate limits — 21.939 acres at 3307 Pleasant Garden Road and 901 Logandale Court.

Department:	Planning	Current Date:	7/7/06
Contact 1:	Steve Galanti	Public Hearing:	No
Phone:	373-2918	Advertising Date:	
Contact 2:	Dick Hails	Advertised By:	
Phone:	373-2922	Authorized Signature:	<i>DW Hails</i>
Attachments:	Attachment A: "PL(P)06-21" map		

**PURPOSE:**

Mary Wells has petitioned the City for annexation of the property located at 3307 Pleasant Garden Road and 901 Logandale Court. In order to consider the annexation covered by this petition, the City Council must set a public hearing.

**BACKGROUND:**

This property abuts the primary city limits along its north side.

It is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan.

There are 3 houses on the property now, but it is proposed for development with up to about 350 multifamily units accessed off Pleasant Garden Road.

There is a 16-inch City water line along the Pleasant Garden Road frontage. The nearest accessible sewer line is at some distance. Extension of sewer service to the property is the developer's responsibility.

Fire service can be provided to this property with low difficulty (2.2 miles from a City station).

The Police Department estimates modest impact on its service provision, with a need for 0.3 additional officers at full build out.

Other City services can be provided in a manner similar to their provision to the previously-annexed properties just to the north.

Payment of an acreage fee of two hundred dollars (\$200) per acre for water service and two hundred dollars (\$200) per acre for sewer service accompanied the annexation petition. "Any utility assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure by the City. Following annexation, the property annexed shall receive

the same status regarding charges and rates as any other property located in the City of Greensboro."

**BUDGET IMPACT:**

Initial service will be absorbed in the budget, but future service will have an incremental effect on future budgets.

**RECOMMENDATION / ACTION REQUESTED:**

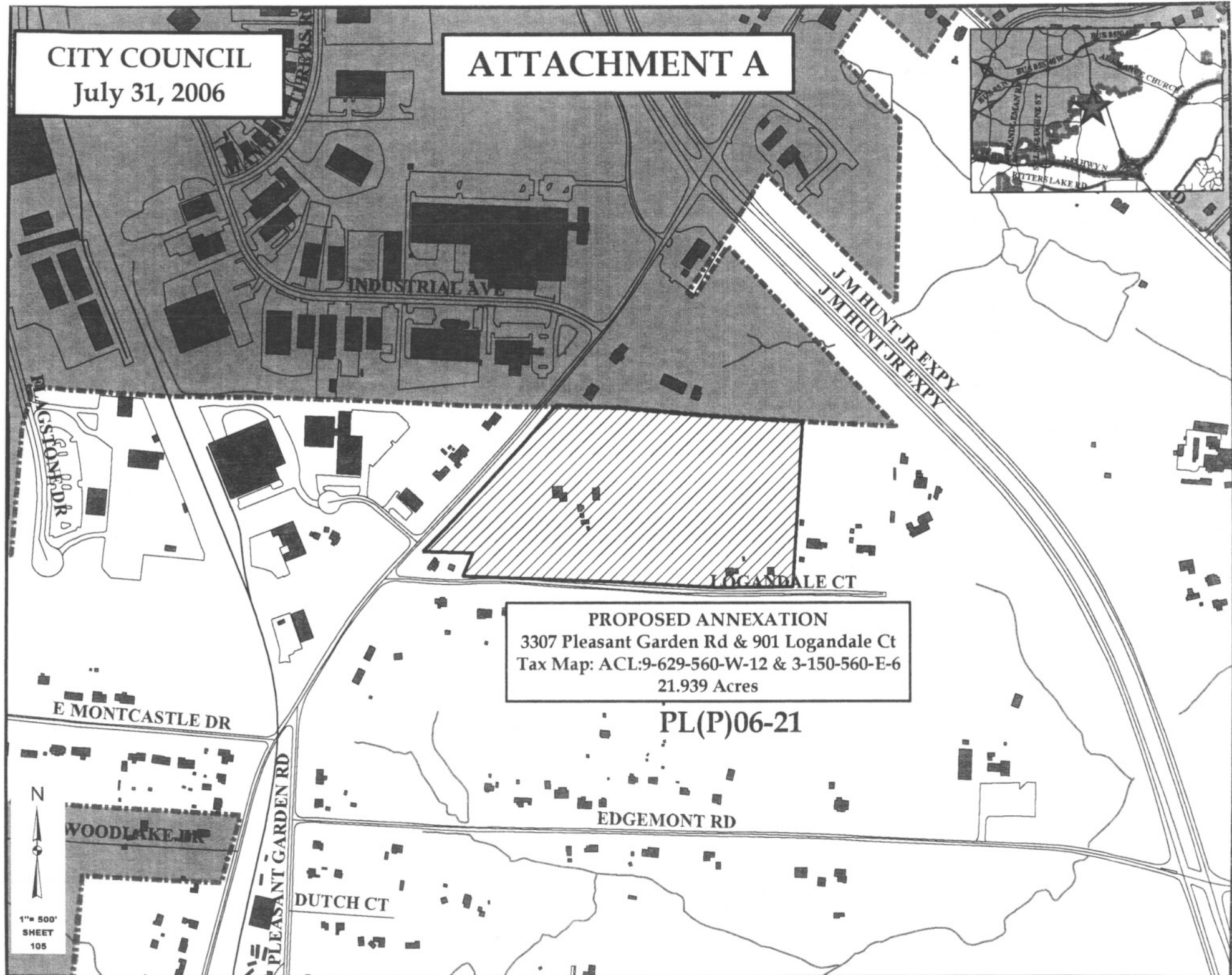
The Technical Review Committee (TRC) recommended this annexation to the Planning Board and to City Council. The Planning Board recommended this annexation at its June meeting on a vote of 6-0.

Accordingly, it is recommended that on July 18, 2006, the City Council adopt a resolution calling a public hearing for July 31, 2006, on the annexation of the above-mentioned property to the City of Greensboro.

CITY COUNCIL

July 31, 2006

# ATTACHMENT A







City of Greensboro  
**City Council**  
Agenda Item

TITLE: Resolution calling public hearing for 7/31/06 on annexing territory to the corporate limits – 0.219-acres at 2522 McKnight Mill Road

Department: Planning	Current Date: 7/7/06
Contact 1: Steve Galanti	Public Hearing: No
Phone: 373-2918	Advertising Date:
Contact 2: Dick Hails	Advertised By:
Phone: 373-2922	Authorized Signature: <i>DW Hails</i>
Attachments: Attachment A: "PL(P)06-24" map	

**PURPOSE:**

Josephine Vineberg has petitioned the City for annexation of the property located at 2522 McKnight Mill Road. In order to consider the annexation covered by this petition, the City Council must set a public hearing.

**BACKGROUND:**

This property adjoins a previous satellite annexation on McKnight Mill Road. It is proposed to be added into the Thornton subdivision being developed on the larger property.

This property is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan.

There is a 30-inch City water line along McKnight Mill Road. A sewer line is to be extended to this property by the Thornton subdivision.

This property was acquired by the developer at the request of both the Transportation Department and the Police Department so as to provide a four-way intersection at McKnight Mill Road instead of forcing a choice between an unsafe offset intersection and no intersection.

Delivery of all City services to the subdivision will be improved as a result.

Payment of an acreage fee of two hundred dollars (\$200) per acre for water service and two hundred dollars (\$200) per acre for sewer service accompanied the annexation petition. Any utility assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located in the City of Greensboro.

The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.



**BUDGET IMPACT:**

Initial service will be absorbed in the budget, but future service will have an incremental effect on future budgets.

**RECOMMENDATION / ACTION REQUESTED:**

The Technical Review Committee (TRC) recommended this annexation to the Planning Board and to City Council. The Planning Board recommended this annexation at its June meeting on a vote of 6-0.

CITY COUNCIL  
July 31, 2006

# ATTACHMENT A



PROPOSED SATELLITE ANNEXATION  
2522 McKnight Mill Rd  
TAX MAP: ACL 3-142-B-5031-02  
.219 Acres

PL(P)06-24

Satellite City Limits (in)

DESMOND DR

TAYLORCREST RD

MILLER DR

PARNELL DR

TRIANGLE DR

HOLLYWOOD RD

McKNIGHT MILL RD

Satellite City Limits (in)

HINES CHAPEL RD



City of Greensboro  
**City Council**  
Agenda Item

**TITLE** Ordinance changing the name of the portion of Horse Pen Creek Road lying east of Battleground Avenue to Old Battleground Road

Department:	Planning	Current Date:	7/7/06
Contact 1:	Steve Galanti	Public Hearing:	No
Phone:	373-2918	Advertising Date:	
Contact 2:	Dick Hails	Advertised By:	
Phone:	373-2922	Authorized Signature:	<i>RWH</i>
Attachments:	Attachment A: "PL(P)06-21" map		

**PURPOSE:**

Since a portion of Old Battleground Road (north of Horse Pen Creek Road) has been closed, the portion of Horse Pen Creek Road lying east of Battleground Avenue which aligns with Old Battleground Road needs to have its name changed to Old Battleground Road.

**BACKGROUND:**

The short section of Old Battleground Road running northwest off the easternmost part of Horse Pen Creek Road was closed several months ago. That part of Horse Pen Creek Road forms a continuous alignment with the remaining part of Old Battleground Road.

There are no buildings addressed on this section of the street.

When a single road alignment bears two street names, the ideal location for the street name change to occur is at an intersection with a major thoroughfare, such as Battleground Avenue. Here we have the opportunity to have the street name be Horse Pen Creek Road on the west side of Battleground Avenue and Old Battleground Road on the east side.

There is one negative to this street name change in that Old Battleground Avenue would then intersect Battleground Avenue at two places, one being opposite Westridge Road and the other being here opposite Horse Pen Creek Road. Fortunately, most people refer to the first of these intersections as "Battleground/Westridge" and to the second as "Battleground/Horse Pen Creek."

**BUDGET IMPACT:**

There will be no impact on current or future budgets.

**RECOMMENDATION / ACTION REQUESTED:**

The Technical Review Committee (TRC) recommended this name change to the Planning Board and to City Council. The Planning Board recommended this name change at its June meeting on a vote of 6-0.

Accordingly, it is recommended that on July 18, 2006, the City Council adopt an ordinance changing the name of the portion of Horse Pen Creek Road lying east of Battleground Avenue to Old Battleground Road.

CITY COUNCIL  
July 18, 2006

ATTACHMENT A

DERBYWOOD DR

BATTLEGROUND AVE

MICHIGAN RD

PREVIOUSLY CLOSED  
Portion of  
Old Battleground Rd

HORSE PEN CREEK RD

FOUR FARMS RD

PROPOSED STREET NAME CHANGE  
Horse Pen Creek Rd  
to  
Old Battleground Rd

OLD BATTLEGROUND RD

PL(P)06-21



1"=200'  
SHEETS  
228

AN ORDINANCE CHANGING NAME OF STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following street name change is hereby authorized to become effective immediately:

PRESENT NAME

PORTION

NEW NAME

Horse Pen Creek Road

That section of Horse Pen Creek  
Road lying east of Battleground  
Avenue to Old Battleground Road

Old Battleground  
Road



# Budget Adjustments Approved by Budget Officer

June 01, 2006 - June 30, 2006

In compliance with G.S.159-15 and Resolution passed by Council on July 2,1973,  
the following budget adjustments are submitted for your information

Budget Adj#	Department Account Description	Account Number		Amount
		From	To	
2006385	<b>POLICE</b>			<b>\$5,000</b>
	MISCELLANEOUS	101-3502-01.5949		
	MISCELLANEOUS		101-3501-01.5949	
2006386	<b>WATER RESOURCES</b>			<b>\$30,000</b>
	OTHER CAPITAL EQUIPMENT	501-7024-01.6059		
	MAINTENANCE & REPAIR - EQUIPMENT		501-7024-01.5621	
2006387	<b>WATER RESOURCES</b>			<b>\$440</b>
	MAINTENANCE & REPAIR - EQUIPMENT	501-7056-01.5621		
	OTHER CAPITAL EQUIPMENT		501-7056-01.6059	
	OTHER CAPITAL EQUIPMENT		501-7056-01.6059	
2006388	<b>ENGINEERING AND INSPECTIONS</b>			<b>\$2,775</b>
	COMPUTER SOFTWARE	101-6005-01.5212		
	POSTAGE		101-6005-01.5211	
	LICENSED VEHICLE MAINTENANCE & SUPPLIES		101-6005-01.5242	
	RADIO SERVICES		101-6005-01.5435	
2006389	<b>ENGINEERING AND INSPECTIONS</b>			<b>\$25,215</b>
	CONSULTANT SERVICES	101-6005-01.5413		
	LONGEVITY		101-6005-01.4410	
	GASOLINE FUEL		101-6005-01.5244	
	RENTAL OF EQUIPMENT		101-6005-01.5254	
2006390	<b>TRANSPORTATION</b>			<b>\$100,000</b>
	OTHER IMPROVEMENTS	566-4511-01.6019		
	CONSULTANT SERVICES		566-4511-01.5413	
2006391	<b>ENVIRONMENTAL SERVICES</b>			<b>\$270,000</b>
	SEMINAR/TRAINING EXPENSES	551-6509-01.5520		
	MAINTENANCE & REPAIR-STREETS	551-6509-01.5611		
	MAINTENANCE & REPAIR - BUILDINGS	551-6509-01.5613		
	CONSULTANT SERVICES	551-6509-02.5413		
	NON-LICENSED VEHICLES		551-6509-09.6052	
2006392	<b>HOUSING &amp; COMMUNITY DEVELOPMENT</b>			<b>\$6,972,365</b>
	FEDERAL GRANT	212-9003-01.7100		
	FEDERAL GRANT	212-9095-01.7100		
	FEDERAL GRANT	212-9096-01.7100		
	FEDERAL GRANT	212-9097-03.7100		
	FEDERAL GRANT		212-9001-01.7100	

#32

<b>2006393</b>	<b>HOUSING &amp; COMMUNITY DEVELOPMENT</b>			<b>\$21,755,957</b>
	FEDERAL GRANT	212-2011-01.7100		
	FEDERAL GRANT	212-2201-01.7100		
	FEDERAL GRANT	212-2202-01.7100		
	FEDERAL GRANT	212-2203-01.7100		
	FEDERAL GRANT		212-0000-00.7100	
	FEDERAL GRANT		212-2012-01.7100	
	FEDERAL GRANT		212-2302-01.7100	
<b>2006394</b>	<b>HOUSING &amp; COMMUNITY DEVELOPMENT</b>			<b>\$4,187,875</b>
	MORTGAGE COLLECTIONS - REHABILITATION	212-2201-01.7420		
	INTEREST COLLECTED - REHAB. MORTGAGES	212-2201-01.7421		
	MORTGAGE COLLECTIONS - REHABILITATION	212-2202-01.7420		
	INTEREST COLLECTED - REHAB. MORTGAGES	212-2202-01.7421		
	MORTGAGE COLLECTIONS - REHABILITATION		212-0000-00.7420	
	INTEREST COLLECTED - REHAB. MORTGAGES		212-0000-00.7421	
<b>2006395</b>	<b>HOUSING &amp; COMMUNITY DEVELOPMENT</b>			<b>\$336,025</b>
	RENT - REAL ESTATE	212-2202-01.7801		
	INTEREST EARNED - OTHER	212-2202-01.8500		
	INTEREST EARNED - INVESTMENTS	212-2202-01.8502		
	SALE OF MATERIALS	212-2202-01.8600		
	RENT - REAL ESTATE		212-0000-00.7801	
	INTEREST EARNED - OTHER		212-0000-00.8500	
	INTEREST EARNED - INVESTMENTS		212-0000-00.8502	
	SALE OF MATERIALS		212-0000-00.8600	
<b>2006396</b>	<b>HOUSING &amp; COMMUNITY DEVELOPMENT</b>			<b>\$1,093,000</b>
	PROGRAM INCOME - PRIOR YEARS	212-2206-01.8691		
	MORTGAGE COLLECTIONS - REHABILITATION	212-9095-06.7420		
	INTEREST COLLECTED - REHAB. MORTGAGES	212-9095-06.7421		
	MORTGAGE COLLECTIONS - REHABILITATION	212-9095-07.7420		
	MORTGAGE COLLECTIONS - REHABILITATION		212-0000-00.7420	
	INTEREST COLLECTED - REHAB. MORTGAGES		212-0000-00.7421	
	SALE OF REAL ESTATE		212-0000-00.8616	
	MORTGAGE COLLECTIONS - REHABILITATION		212-9095-01.7420	
<b>2006397</b>	<b>TRANSPORTATION</b>			<b>\$3,000</b>
	MISCELLANEOUS	543-4532-01.5949		
	MAINTENANCE & REPAIR - EQUIPMENT		543-4531-01.5621	
<b>2006398</b>	<b>TRANSPORTATION</b>			<b>\$134,000</b>
	MISCELLANEOUS	101-4501-04.5949		
	MISCELLANEOUS SUPPLIES		101-4525-02.5239	
	MISCELLANEOUS SUPPLIES		101-4525-03.5239	
<b>2006399</b>	<b>TRANSPORTATION</b>			<b>\$20,000</b>
	CONTRACTED MAINT BUILDINGS AND GROUND	543-4532-01.5422		
	MAINTENANCE & REPAIR - BUILDINGS	543-4533-01.5613		
	HEAT & ELECTRIC		543-4531-01.5121	
<b>2006400</b>	<b>LIBRARIES</b>			<b>\$792</b>
	BUILDINGS	447-5501-01.6013		
	OTHER IMPROVEMENTS	447-5501-01.6019		

	OFFICE EQUIPMENT & FURNITURE	447-5502-01.5214	
	LAND	447-5503-01.6011	
	OFFICE EQUIPMENT & FURNITURE		447-5501-01.5214
	BOND ISSUE EXPENSE		447-5502-01.5831
<b>2006401</b>	<b>FINANCE</b>		<b>\$75,975</b>
	OTHER IMPROVEMENTS	680-1005-05.6019	
	LICENSED VEHICLES	680-1005-18.6051	
	NON-LICENSED VEHICLES	680-1005-18.6052	
	LICENSED VEHICLE MAINTENANCE & SUPPLIES		680-1005-19.5242
<b>2006402</b>	<b>POLICE</b>		<b>\$5,400</b>
	MISCELLANEOUS	101-3502-01.5949	
	MISCELLANEOUS		101-3517-01.5949
<b>2006403</b>	<b>TRANSPORTATION</b>		<b>\$50,000</b>
	MISCELLANEOUS SUPPLIES	101-4501-04.5239	
	BUSINESS AND MEETING EXPENSES	101-4501-04.5510	
	MAINTENANCE & REPAIR - EQUIPMENT	101-4501-04.5621	
	STREET LIGHTING/TRAFFIC SIGNALS		101-4515-02.5122
<b>2006404</b>	<b>PARKS AND RECREATION</b>		<b>\$45,000</b>
	CONTRACTED MAINT BUILDINGS AND GROUNDS	101-5023-60.5422	
	ROSTER WAGES		101-5003-01.4140
	PURCHASES FOR RESALE		101-5003-01.5271
	WATER/SEWERAGE		101-5003-02.5131
<b>2006405</b>	<b>Non-Departmental</b>		<b>\$84,840</b>
	POSTAGE	101-9550-01.5211	
	PROFESSIONAL ORGANIZATION DUES		101-9550-01.5222
	RENTAL OF PARKING SPACES		101-9550-01.5252
	CONSULTANT SERVICES		101-9550-01.5413
	LOSS ON SALE OF FORECLOSED REAL ESTATE		101-9550-01.5926
<b>2006406</b>	<b>PARKS AND RECREATION</b>		<b>\$30,000</b>
	MAINTENANCE & REPAIR - OTHER	101-5014-03.5627	
	CHEMICALS		101-5008-01.5233
	HEAT & ELECTRIC		101-5008-05.5121
<b>2006407</b>	<b>BUDGET AND EVALUATION</b>		<b>\$164,000</b>
	LAND	410-5008-01.6011	
	LAND		410-5008-07.6011
<b>2006408</b>	<b>HOUSING &amp; COMMUNITY DEVELOPMENT</b>		<b>\$439,559</b>
	LEGAL SERVICES	212-2203-40.5412	
	REAL ESTATE LOANS	212-2203-55.5282	
	CITY OWNED REHABILITATION	212-2204-41.5286	
	LEGAL SERVICES	212-2204-41.5412	
	REAL ESTATE LOANS		212-2203-40.5282
	REAL ESTATE LOANS		212-2204-40.5282
	REAL ESTATE GRANTS		212-2204-40.5283
	REAL ESTATE GRANTS		212-2204-41.5283

2006409	<b>WAR MEMORIAL COLISEUM COMPLEX</b>			<b>\$335</b>
	OTHER CAPITAL EQUIPMENT	521-7535-06.6059		
	OTHER IMPROVEMENTS		521-7535-06.6019	
2006410	<b>PARKS AND RECREATION</b>			<b>\$20,000</b>
	CONTRACTED MAINT BUILDINGS AND GROUNDS	101-5023-60.5422		
	RENTAL OF LICENSED CITY VEHICLES		101-5012-01.5256	
	RENTAL OF NON-LICENSED CITY VEHICLES		101-5012-01.5257	
2006411	<b>HOUSING &amp; COMMUNITY DEVELOPMENT</b>			<b>\$12,761</b>
	PROPERTY ACQUISITION	212-2203-06.5288		
	RELOCATION	212-2204-14.5284		
	PROPERTY ACQUISITION	212-2204-16.5288		
	LEGAL SERVICES	212-2206-40.5412		
	GASOLINE FUEL		212-2203-01.5244	
	DISPOSITION EXPENSES		212-2204-14.5285	
	DISPOSITION EXPENSES		212-2204-16.5285	
	LOAN HANDLING SERVICE		212-2206-40.5281	
2006412	<b>ENVIRONMENTAL SERVICES</b>			<b>\$13,500</b>
	OTHER CAPITAL EQUIPMENT	551-6509-04.6059		
	NON-LICENSED VEHICLES		551-6509-09.6052	
2006413	<b>WATER RESOURCES</b>			<b>\$150,000</b>
	MAINTENANCE & REPAIR - EQUIPMENT	501-7056-01.5621		
	RENTAL OF NON-LICENSED CITY VEHICLES		501-7071-01.5257	
2006414	<b>EXECUTIVE</b>			<b>\$7,000</b>
	OTHER CONTRACTED SERVICES	216-0216-13.5429		
	AUDITING SERVICES		216-0216-12.5411	
2006415	<b>WAR MEMORIAL COLISEUM COMPLEX</b>			<b>\$100,000</b>
	OTHER SERVICES	521-7535-06.5419		
	ADVERTISING		521-7510-05.5221	
2006416	<b>FIRE</b>			<b>\$1,842</b>
	MAINTENANCE & IMPROVEMENT - GROUNDS	101-4006-05.5612		
	OTHER IMPROVEMENTS		101-4006-05.6019	
2006417	<b>EXECUTIVE</b>			<b>\$15,000</b>
	SALARIES & WAGES	101-0201-01.4110		
	CONSULTANT SERVICES		101-0201-01.5413	
2006418	<b>FIRE</b>			<b>\$16,580</b>
	MAINTENANCE & IMPROVEMENT - GROUNDS	101-4006-05.5612		
	OTHER IMPROVEMENTS		101-4006-05.6019	
2006419	<b>POLICE</b>			<b>\$800</b>
	MISCELLANEOUS	101-3502-01.5949		
	MISCELLANEOUS		101-3520-01.5949	
2006420	<b>FINANCE</b>			<b>\$84,675</b>
	LICENSED VEHICLES	680-1005-18.6051		
	LOSS ON INVENTORY		680-1005-01.5922	

RENTAL OF EQUIPMENT	680-1005-15.5254
MISCELLANEOUS SUPPLIES	680-1005-17.5239
LICENSED VEHICLE MAINTENANCE & SUPPLIES	680-1005-19.5242

<b>2006421</b>	<b>WATER RESOURCES</b>		<b>\$386,626</b>
	HEAT & ELECTRIC	501-7051-01.5121	
	OTHER INTERNAL SERVICES	501-7051-01.5439	
	MAINTENANCE & REPAIR - BUILDINGS	501-7051-01.5613	
	MAINTENANCE & REPAIR - EQUIPMENT	501-7051-01.5621	
	TRANSFER TO W & S CAPITAL IMPROVEMTS FD	501-7014-01.6503	
<b>2006422</b>	<b>ENGINEERING AND INSPECTIONS</b>		<b>\$6,600</b>
	CONSULTANT SERVICES	101-6001-01.5413	
	MISCELLANEOUS SUPPLIES	101-6001-01.5239	
<b>2006423</b>	<b>ENGINEERING AND INSPECTIONS</b>		<b>\$5,660</b>
	MAINTENANCE & REPAIR - BUILDINGS	101-6007-03.5613	
	BUILDINGS	101-5027-01.6013	
<b>2006424</b>	<b>WATER RESOURCES</b>		<b>\$2,442,236</b>
	WATER LINES	503-7001-01.6016	
	FEDERAL LOAN PROGRAM	503-7001-01.9003	
	TRANSFER FROM WATER & SEWER OPERATING FD	503-7002-01.9501	
	ROSTER WAGES	503-7003-01.4140	
	PRINCIPAL MATURITIES	503-7001-01.5811	
	FICA CONTRIBUTION	503-7003-01.4510	
	TRANSFER FROM WATER & SEWER OPERATING FD	503-7005-01.9501	
	TRANSFER FROM WATER & SEWER OPERATING FD	503-7007-01.9501	
<b>2006425</b>	<b>POLICE</b>		<b>\$2,000</b>
	MISCELLANEOUS	101-3502-02.5949	
	MISCELLANEOUS	101-3518-01.5949	
<b>2006426</b>	<b>PARKS AND RECREATION</b>		<b>\$22,650</b>
	TELEPHONE-LOCAL	101-5009-01.5111	
	TELEPHONE-LONG DISTANCE	101-5009-01.5112	
	JANITORIAL SUPPLIES	101-5009-01.5231	
	SMALL TOOLS AND EQUIPMENT	101-5009-01.5235	
	HEAT & ELECTRIC	101-5008-01.5121	
	WATER/SEWERAGE	101-5008-01.5131	
	HEAT & ELECTRIC	101-5008-05.5121	
	CHEMICALS	101-5008-08.5233	
<b>2006427</b>	<b>PARKS AND RECREATION</b>		<b>\$30,000</b>
	CONTRACTED MAINT BUILDINGS AND GROUNDS	101-5023-60.5422	
	MAINTENANCE & REPAIR - EQUIPMENT	101-5014-01.5621	
<b>2006428</b>	<b>BUDGET AND EVALUATION</b>		<b>\$20,000</b>
	SALARIES & WAGES	101-0601-01.4110	
	MISCELLANEOUS	101-9550-01.5949	
	SUBSCRIPTIONS	101-0601-01.5223	

2006429	HOUSING & COMMUNITY DEVELOPMENT			\$49,630
	PROPERTY ACQUISITION	448-2201-02.5288		
	DISPOSITION EXPENSES		448-2201-04.5285	
	PROPERTY MANAGEMENT		448-2201-04.5287	
2006430	EXECUTIVE			\$30,000
	RENTAL OF EQUIPMENT	216-0236-32.5254		
	RENTAL OF LAND AND BUILDINGS	216-0236-32.5255		
	OTHER CONTRACTED SERVICES		216-0236-33.5429	
2006431	EXECUTIVE			\$35,000
	POSTAGE	101-9550-01.5211		
	CONSULTANT SERVICES		101-0201-01.5413	
2006432	HOUSING & COMMUNITY DEVELOPMENT			\$2,232,000
	RELOCATION	217-1082-01.5284		
	PROPERTY ACQUISITION	217-1082-01.5288		
	CONTRACTED DEMOLITION	217-1082-01.5426		
	DISPOSITION EXPENSES	217-2206-01.5285		
	DISPOSITION EXPENSES		217-1082-01.5285	
	CONSULTANT SERVICES		217-1082-01.5413	
	LOAN HANDLING SERVICE		217-2206-01.5281	
	RELOCATION		217-2206-01.5284	
2006433	TRANSPORTATION			\$80,000
	CONTRACTED CONSTRUCTION	101-4525-01.5427		
	MISCELLANEOUS SUPPLIES	101-4525-04.5239		
	STREET LIGHTING/TRAFFIC SIGNALS		101-4515-02.5122	
	CONTRACTED CONSTRUCTION		101-4515-02.5427	
2006434	WATER RESOURCES			\$104,000
	MAINTENANCE & REPAIR - EQUIPMENT	501-7024-01.5621		
	OTHER IMPROVEMENTS		501-7024-01.6019	
2006435	PARKS AND RECREATION			\$900
	MAINTENANCE & IMPROVEMENT - GROUNDS	101-5019-05.5612		
	MAINTENANCE & REPAIR - BUILDINGS		101-5027-01.5613	
2006436	POLICE			\$3,800
	COMPUTER SOFTWARE	101-3555-05.5212		
	MISCELLANEOUS		101-3501-01.5949	
2006437	TRANSPORTATION			\$5,000
	TEMPORARY SERVICES	505-4511-01.5414		
	DIESEL FUEL		505-4524-01.5245	
2006438	WATER RESOURCES			\$40,000
	WATER/SEWERAGE	501-7051-01.5131		
	LABORATORY SUPPLIES	501-7051-01.5232		
	DIESEL FUEL	501-7051-01.5245		
	MAINTENANCE & REPAIR - OTHER	501-7051-01.5627		
	MAINTENANCE & REPAIR - OTHER		501-7031-01.5627	
2006439	HUMAN RESOURCES			\$50,000



	CONSULTANT SERVICES	684-1001-01.5413		
	OTHER SERVICES		684-1002-01.5419	
<b>2006440</b>	<b>POLICE</b>			<b>\$3,500</b>
	MISCELLANEOUS	101-3502-02.5949		
	MISCELLANEOUS		101-3520-01.5949	
<b>2006441</b>	<b>WAR MEMORIAL COLISEUM COMPLEX</b>			<b>\$420,000</b>
	SALARIES & WAGES	521-7535-02.4110		
	SALARIES & WAGES	521-7535-03.4110		
	OTHER SERVICES	521-7535-06.5419		
	MAINTENANCE & IMPROVEMENT - GROUNDS	521-7540-01.5612		
	ROSTER WAGES		521-7525-01.4140	
	ROSTER WAGES		521-7531-04.4140	
	FICA CONTRIBUTION		521-7531-04.4510	
	OVERTIME		521-7540-01.4210	
<b>2006442</b>	<b>FIRE</b>			<b>\$11,842</b>
	MISCELLANEOUS SUPPLIES	220-4065-01.5239		
	CONSULTANT SERVICES	220-4065-01.5413		
	SEMINAR/TRAINING EXPENSES	220-4065-01.5520		
	OTHER CAPITAL EQUIPMENT		220-4065-01.6059	
<b>2006443</b>	<b>WAR MEMORIAL COLISEUM COMPLEX</b>			<b>\$140,500</b>
	WORKER'S COMPENSATION	521-7510-01.4730		
	HEALTH COVERAGE-ACTIVE	521-7510-05.4610		
	FICA CONTRIBUTION	521-7535-03.4510		
	RETIREMENT CONTRIBUTION	521-7535-03.4520		
	SALARIES & WAGES		521-7510-02.4110	
	PREMIUM PAY		521-7525-01.4220	
	RETIREMENT CONTRIBUTION		521-7525-01.4520	
	CONTRACTED MEDICAL SERVICES		521-7525-01.5428	
<b>2006444</b>	<b>TRANSPORTATION</b>			<b>\$50,000</b>
	OUTSIDE PRINTING & PUBLISHING	101-4501-05.5224		
	MISCELLANEOUS SUPPLIES	101-4501-05.5239		
	CONSULTANT SERVICES	101-4501-05.5413		
	IN-HOUSE PRINTING SERVICES	101-4501-05.5431		
	MISCELLANEOUS SUPPLIES		101-4515-02.5239	
<b>2006445</b>	<b>PARKS AND RECREATION</b>			<b>\$900</b>
	MAINTENANCE & REPAIR - BUILDINGS	101-5027-01.5613		
	BUILDINGS		101-5027-01.6013	
<b>2006446</b>	<b>WAR MEMORIAL COLISEUM COMPLEX</b>			<b>\$63,000</b>
	MISCELLANEOUS	521-7510-01.5949		
	ADVERTISING	521-7510-05.5221		
	HEAT & ELECTRIC	521-7535-06.5121		
	OVERTIME		521-7525-01.4210	
	PROMOTIONS - OTHER		521-7531-04.5279	
	OVERTIME		521-7540-01.4210	
<b>2006447</b>	<b>EXECUTIVE</b>			<b>\$469,345</b>
	SALARIES & WAGES	216-0235-30.4110		
	SALARIES & WAGES CONTINUOUS PART-TIME	216-0235-30.4120		

	LONGEVITY	216-0235-30.4410	
	DENTAL COVERAGE-ACTIVE	216-0235-30.4650	
	SALARIES & WAGES		216-0225-20.4110
	RETIREMENT CONTRIBUTION		216-0225-20.4520
	COMPUTER SOFTWARE		216-0225-22.5212
	RENTAL OF LAND AND BUILDINGS		216-0225-22.5255
<b>2006448</b>	<b>FINANCE</b>		<b>\$50,000</b>
	OTHER CAPITAL EQUIPMENT	101-0720-03.6059	
	OTHER CAPITAL EQUIPMENT		101-0720-03.6059
<b>2006449</b>	<b>FINANCE</b>		<b>\$1</b>
	BUILDINGS	680-1005-05.6013	
	LICENSED VEHICLES		680-1005-18.6051
<b>2006450</b>	<b>FINANCE</b>		<b>\$54</b>
	BUILDINGS	680-1005-05.6013	
	NON-LICENSED VEHICLES		680-1005-18.6052
<b>2006451</b>	<b>FINANCE</b>		<b>\$1</b>
	EQUIPMENT - LEASE PURCHASE	686-1001-02.6054	
	OTHER IMPROVEMENTS		686-1001-02.6019
<b>2006452</b>	<b>WATER RESOURCES</b>		<b>\$568,075</b>
	CONSULTANT SERVICES	511-7011-01.5413	
	SEWER LINES	511-7062-04.6017	
	SEWER LINES	511-7062-05.6017	
	CONSULTANT SERVICES		511-7025-06.5413
	SEWER LINES		511-7062-01.6017
<b>2006453</b>	<b>BUDGET AND EVALUATION</b>		<b>\$4,515</b>
	PROGRAM SUPPLIES	101-5001-05.5237	
	TRANSFER TO STATE & FEDERAL GRANTS FUND		101-9590-01.6220
<b>2006454</b>	<b>FIRE</b>		<b>\$8,000</b>
	SEMINAR/TRAINING EXPENSES	220-4071-01.5520	
	OVERTIME		220-4071-01.4210
<b>2006455</b>	<b>WAR MEMORIAL COLISEUM COMPLEX</b>		<b>\$45,000</b>
	SALARIES & WAGES	521-7535-01.4110	
	HEALTH COVERAGE-ACTIVE	521-7535-01.4610	
	SALARIES & WAGES	521-7535-05.4110	
	HEALTH COVERAGE-ACTIVE	521-7535-05.4610	
	ROSTER WAGES		521-7525-01.4140
	MISCELLANEOUS SUPPLIES		521-7531-04.5239
<b>2006456</b>	<b>EXECUTIVE</b>		<b>\$53,704</b>
	OTHER CONTRACTED SERVICES	216-0215-13.5429	
	ADVERTISING	216-0215-14.5221	
	SEMINAR/TRAINING EXPENSES	216-0225-22.5520	
	FICA CONTRIBUTION	216-0235-30.4510	
	SALARIES & WAGES		216-0215-10.4110
	FICA CONTRIBUTION		216-0215-10.4510
	RETIREMENT CONTRIBUTION		216-0215-10.4520

HEALTH COVERAGE-ACTIVE

216-0215-10.4610



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Waste Disposal Contract

Department:	Environmental Services Department	Current Date:	June 29, 2006
Contact 1:	Jeryl W. Covington	Public Hearing:	NA
Phone:	373-2787	Advertising Date:	NA
Contact 2:	Greg Dingman	Advertised By:	NA
Phone:	373-7660	Authorized Signature:	<i>Jeryl W. Covington</i>
Attachments:	Attachment A: Contract with Hilco Transport, Inc.		

**PURPOSE:** City Council is requested to approve the municipal solid waste transportation contract with Hilco Transport, Inc.

**BACKGROUND:**

The City of Greensboro opened bids for the management of municipal solid waste on March 17, 2005. Hilco Transport, Inc. was the apparent low transportation bidder with a bid of \$1.646 per mile for annual tonnages of 60,000 – 100,000 and \$1.629 per mile for annual tonnages above 100,000 (2005 dollars). In addition to the mileage fee, a monthly fuel surcharge based upon the United States Department of Energy's Petroleum Administration for Defense Districts (PADD) 1Z Lower Atlantic will be incorporated. Annually, the mileage fee will be adjusted to reflect changes in the cost of providing services based upon the Consumer Price Index – All Urban Consumers, fees, taxes, fuel, law and rule changes that affect the costs.

The City of Greensboro has negotiated an initial term of five-years with an automatic renewal for up to three additional five year terms unless the City elects not to renew.

**BUDGET IMPACT:**

The annual contract amount is dependant on the volume of waste collected for transport to the Uwharrie Environmental Landfill located in Montgomery County, NC. The annual volumes can range from 60,000 tons per year to 200,000 tons per year. The current estimated annual contract amount (PADD June 5, 2006) can range from \$659,870.00 to \$2,176,480.00. Funding for this contract is available from account number 551-6509-09.5429

**RECOMMENDATION / ACTION REQUESTED:**

The Environmental Services Department recommends that City Council authorize the municipal solid waste transportation contract with Hilco Transport, Inc.



# CITY OF GREENSBORO

NORTH CAROLINA

P.O. BOX 3136  
GREENSBORO, NC 27402-3136

Date: June 29, 2006

To: Mitchell Johnson  
City Manager

From: Jeryl W. Covington  
Director, Environmental Services Department

Reference: Request for Contract Authorization  
Hilco Transport, Inc.  
Transportation Services

## Background

The City of Greensboro issued a revised request for proposals on February 15, 2005 (originally issued February 24, 2003) for the management of the City's municipal solid waste. The revised request identified options for transportation and/or disposal from the City's transfer station, transportation and disposal from a privately owned and operated transfer station, and full management and operation of the City's transfer station.

Responses to the request for proposal were received and reviewed on March 17, 2005. Transportation quotes were received from First Tee Transport, Hilco Transport, and Long Brothers of Summerfield, Inc. Each contractor identified their ability to provide the requested services as well as provided their associated fees based upon variable volumes. A summary of these quotes is attached.

Evaluation of the bids concluded that Hilco Transport, Inc was the apparent low bidder for transportation services. The contract for disposal services was previously awarded to Republic Service's Uwharrie landfill located in Mt Gilead (Montgomery County), NC. Estimated mileage (round trip) to this facility is approximately 146 miles. Hilco Transport, Inc. has proposed utilizing 122- 130 cubic yard capacity trailers. The price per mile ranges from \$1.646 (2005 dollars) for annual waste volumes between 60,000 – 100,000 tons to \$1.629 (2005 dollars) for annual waste volumes above 100,000 tons. In addition to the price per mile, Hilco Transport, Inc. accepted the proposed annual adjustment based upon the Consumer Price Index for All Consumers (CPI-U) as identified in the request for proposals. In addition to this annual adjustment, Hilco Transport, Inc. has included a monthly fuel surcharge. As proposed, the surcharge will increase or decrease by 1% for every 8-cent modification in the price of diesel above or below the threshold price of \$1.981 per gallon. The surcharge calculation shall become effective the first Monday of each month based upon the United States Department of Energy Petroleum Administration for Defense Districts (PADD) 1Z Lower Atlantic pricing.

Based upon the proposed bid, the associated costs for transportation utilizing the DOE PADD for the month of June 2006 is as follows:

The estimated cost for transporting 60K annual tons is approximately \$659,873.00 [base price: \$1.646 (2005 dollars), \$1.712 (2006 dollars – 4% CPI), diesel price for June is \$2.825 – 10% surcharge equates to \$1.883 per

mile]. The estimated cost for transporting 200K annual tons is approximately \$2,176,480.00 [base price: \$1.629 (2005 dollars), \$1.694 per mile (2006 dollars – 4% CPI), diesel price for June 2006 is \$2.825 – 10% surcharge equates to \$1.863 per mile].

#### Requested Action

The Environmental Services Department recommends the award of the initial five year contract to Hilco Transport, Inc. The proposed term renews automatically for up to three (3) additional five (5) year terms unless the City provides written notification requesting termination. The contract will not initiate prior to July 1, 2006.

#### Budget and Financial Data:

The annual budget for waste transportation is variable and is dependent on the annual volume of waste requested for out-of-county disposal and the distance to a secondary disposal facility (Republic Service's Upper Piedmont Landfill, Person County, NC). The waste generation rates can range from 60,000 tons per year to 200,000+ tons per year. The current estimated annual contract amount (PADD June 5, 2006) can range from \$659,870.00 to \$2,176,480.00. Account number 551-6509-09.5429 will be utilized.

attachment:   Transportation Bid Summary  
                  Hilco Transport, Inc. contract



**TABLE 1 – TRANSPORTATION SERVICES**

The following information has been taken from Form 4-3 Proposal Price information received March 17, 2005.

<b>PROPOSED PRICES FOR MSW TRANSPORTATION SERVICES ONLY</b>			
	<b>\$/Mile (Round-Trip Mile)</b>		
	<b>LONG BROTHERS OF SUMMERFIELD INC.</b>	<b>HILCO TRANSPORT, INC.</b>	<b>FIRST TEE TRANSPORT</b>
<b>50 - 100 Miles</b>			
<b>Annual Tonnage</b>	<b>130 cu. yd. trailer</b>	<b>122-130 cu. yd. trailer</b>	<b>133 cu. yd. trailer</b>
60,000 – 100,000	2.71	2.758	2.62
100,001 – 150,000	2.71	2.603	2.62
150,001 – 200,000	2.71	2.603	2.62
200,001 – 250,000	2.71	2.603	2.62
<b>101 - 150 Miles</b>			
<b>Annual Tonnage</b>	<b>130 cu. yd. trailer</b>	<b>122-130 cu. yd. trailer</b>	<b>133 cu. yd. trailer</b>
60,000 – 100,000	1.665	1.646	1.98
100,001 – 150,000	1.665	1.629	1.98
150,001 – 200,000	1.665	1.629	1.98
200,001 – 250,000	1.665	1.629	1.98
<b>151 - 200 Miles</b>			
<b>Annual Tonnage</b>	<b>130 cu. yd. trailer</b>	<b>122-130 cu. yd. trailer</b>	<b>133 cu. yd. trailer</b>
60,000 – 100,000	1.56	1.533	1.89
100,001 – 150,000	1.56	1.533	1.89
150,001 – 200,000	1.56	1.533	1.89
200,001 – 250,000	1.56	1.533	1.89
NOTE: The data presented in this table was taken from Form 4-3 of each proposal and does not address any clarifications, exceptions, or alternates, if any, offered by the proposer.			

## WASTE TRANSPORTATION SERVICES AGREEMENT

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by City of Greensboro of Greensboro, North Carolina (City) and Hilco Transport, Inc., a North Carolina corporation ("Contractor").

WITNESSETH:

WHEREAS, Contractor is in the business of providing solid waste transportation services; and

WHEREAS, Contractor has sufficient vehicles, trailers and personnel, as well as the proper permits and licenses to perform the services described herein; and

WHEREAS, City of Greensboro desires to contract with Contractor and Contractor desires to contract with the City of Greensboro to provide the services described herein;

NOW, THEREFORE, in consideration of the covenants, and conditions contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the parties agree as follows:

1. Definitions. As used herein, the following terms shall have the following meanings:
  - a) "Acceptable Waste" or "Waste" shall mean all non-hazardous residential or commercial solid waste as defined by the Code of Federal regulations and which may be legally disposed of at permitted landfills.
  - b) "Customer" means the City of Greensboro as the owner of the solid waste transport facility located at 6310 Burnt Poplar Road, Greensboro, North Carolina.
  - c) "Effective Date" means thirty (30) days from the Customer's receipt of all necessary permits to operate the Transfer Station but no later than September 1, 2006. If this matter does not become effective on or before September 1, 2006 this agreement shall be null and void unless a later date is mutually agreed upon by the parties.
  - d) "Landfill" shall mean solid waste disposal facility as identified and directed by the customer.
  - e) "Load of Waste" shall mean the quantity of Waste transported by a Trailer during each trip from the Transfer Station to a Landfill with a gross vehicle weight of 80,000 pounds.
  - f) "Road Legal" shall mean that the combined total vehicle weight and individual axle weights of Contractor's loaded Trailers and Tractors do not exceed any applicable federal, state and/or local weight limitations.

- g) "Trailer" shall mean the vehicles used by Contractor to transport Waste.
- h) "Transfer Station" shall mean the Greensboro Transfer Station located at the corner of South Chimney Rock Rd and Burnt Poplar Rd.
- i) "Unit price" shall mean the fee associated with the transport of a ton of Waste, see Rate Schedule.
- j) "Work" shall mean all the services provided by the Contractor pursuant to this agreement.
- k) Words which have a well-known technical or trade meaning, unless otherwise specifically defined in this Agreement, should be construed in accordance with such well-known meaning, recognized by solid waste and transportation professionals and trades.

2. Term. The Term of this Agreement shall be for a period of five (5) years. This agreement shall be renewed automatically for up to three (3) additional five (5) year terms, unless the City provides written notice (registered mail) to the Contractor of the City's refusal to renew at least thirty (30) days prior to the end of the current term.

3. Contractor's Responsibilities. Contractor shall furnish at its sole cost and expense all personnel, tractors, trailers, licenses, Highway permits, equipment and other requirements necessary to provide transportation of the Acceptable Waste.

4. City's Responsibilities.

- a) The City shall ensure that all shipments ordered under this Agreement will be directed to and from facilities holding all legally required permits and licenses.
- b) The City, as operator of the Transfer Station, will assume responsibility for loading the trailers provided by Contractor.
- c) The City will provide the equipment and operator for on site movement of trailers. City forces will move trailers into the Transfer Station for loading and back to the staging area and tarp (tarp laid across, not strapped down) when full. All tarps will be hand cranked from the ground.
- d) The City will be responsible for covering each load prior to transport by the Contractor. The Contractor supplied tarp shall be operational from the ground with a manual crank.
- e) The City shall utilize a truck scale in the loading bay area to track load-out tonnage.

5. Performance Specifications. The parties shall perform this Agreement in accordance with the following specifications:

- a) Contractor shall transport Acceptable Waste from the Transfer Station to the Landfill on a daily basis on a six (6) day a week schedule. Loaded trailers remaining on site on Saturday afternoon will be hauled on Monday morning.
- b) Contractor shall supply an adequate number of trailers (contract maximum of 24 unless an amendment is agreed upon and attached) for staging operations.
- c) Contractor shall transport the loaded Trailers in accordance with all applicable federal, state and local laws, rules, regulations, ordinances and legal requirements and shall promptly unload the Trailers in a manner reasonably acceptable to the operator of the Landfill and complying with all rules and regulations of the Landfill.
- d) Contractor shall be solely responsible for any fines and penalties arising out of its transportation of Waste, except for overweight fees.
- e) Contractor warrants that it will comply at all times during the term of this Agreement with all applicable federal, state and local laws, regulations and ordinances including, without limitation, all such laws regulations and ordinances dealing with health, safety, the environment and employment practices.

6. Rate Schedule.

- a) City shall pay Contractor, as the exclusive transporter of Acceptable Waste from the Transfer Station to the landfill as outlined in the attached Rate Fee Schedule, or any additional miles incurred in normal transportation of the waste.
- b) The transportation fee will be adjusted annually to reflect changes in the cost of doing business. The first adjustment shall be made on January 1, 2006. Thereafter the annual adjustment date will be Jan 1<sup>st</sup> of each year. The fee adjustment will be determined two months prior to the effect date for the previous twelve months. Contractor's annual adjustment shall be based on the Consumer Price Index - All Urban Consumers (CPI-U), U.S. city average, all items, as published by the U.S. Department of Labor, Bureau of Labor Statistics. The transportation fee will be adjusted to reflect changes in costs of doing business plus (i) any Fees and Taxes, and (ii) any increased operational costs or expenses incurred by the CONTRACTOR, to the extent not reflected in the Consumer Price Index (CPI) and resulting from changes in the cost of fuel, labor, or insurance and increases caused by the adoption or change (including a change in interpretation or enforcement) of any Environmental Laws, whether imposed retroactively or prospectively and which was not otherwise foreseeable to the CONTRACTOR at the time of execution of this agreement.
- c) A surcharge will be added to all line-haul rates and charges outlined on the Rate Fee Schedule and subsequent amendments hereto, determined by the attached Fuel Surcharge Chart. Calculations shall be made and become effective the first Monday of each month based upon the United States Department of Energy PADD 1Z Lower Atlantic price or Tuesday if Monday is a Federal holiday.

- d) Damages to Contractors equipment by City will be reimbursed by the City within forty-five (45) days, after the City receives an itemized invoice listing all repairs provided such damage is not disputed. Damages, as contemplated in this section, are exclusive of normal wear and tear. If repairs are performed by Contractor's personnel, the reimbursed rate on labor shall be the current market rate for such repairs and all parts shall be at Contractor's cost plus twenty-five percent (25%). If repairs are made by a third party, the reimbursement amount shall be the actual costs incurred. If newer modeled equipment is damaged to the point that it must be placed out of service, there is an out of service fee per work day (Monday – Saturday) of \$500 per day for tractors and \$100 per day for trailers. Older modeled equipment damaged to the point that it must be placed out of service, fees assessed will be \$350 per day for tractors and \$75 per day for trailers, respectively. If the City elects to subcontract the Transfer Station operation Hilco's right to receive damage reimbursement transfers to the selected subcontractor.

7. Payment Schedule.

- a) Contractor will deliver weekly invoices to the City in the week following the week in which transportation services were provided. Each invoice will reflect the total amount due and the calculation of such amounts. The invoice will include manifest number (trip number), load weight rate and or mileage, delivery dates. The City shall tender payment no later than forty-five (45) days from the date of invoice. Upon request by the City, Contractor shall provide backup documentation for the calculation on any amount due under and invoice.
- b) Payments on this contract are contingent upon sufficient appropriations being approved by City Council in succeeding fiscal years' budgets.

8. Changes in Law. If Contractor incurs increased costs in performing its obligations under this Agreement due to changes in applicable law which becomes effective after July 1, 2006, then the transportation fee described in Paragraph 6 above may be adjusted by a written agreement signed by the parties, subject to the following provisions:

- a) "Changes in law," as used herein, means any new or revised laws, statutes, rules regulations, ordinances, orders, permits, taxes, levies, surcharges or other equipment or any federal or state legislative or administrative body, regional, county, municipal or other local authority, or any other agency or body exercising jurisdiction over any aspect of Contractor's performance of its obligations under this Agreement and which were not known or anticipated by Contractor at the time of execution of this agreement .
- b) Contractor shall promptly notify the City of such changes in law and identify its reasonable, actual increased costs of performing this Agreement (documentation of the effect on the transportation rate shall accompany the notification from the Contractor to the City). If the parties sign a mutual agreement through and adjustment of rate set forth in Paragraph 6 no later than thirty (30) days after such mutual agreement is signed.

9. Independent contractor. Contractor will perform all work under this Agreement as an independent contractor. Contractor is not and shall not be considered an employee, agent or servant of the City for any purpose under this Agreement or otherwise for any-purpose whatsoever. Likewise, none of Contractor's subcontractors, employees or agents shall be considered employees, agents or servants of the City for any-purpose under this Agreement or otherwise. Contractor has at all times exercise exclusive control of the details of the service and work performed hereunder and of all acts omissions of its officers, agents, employees, contractors and subcontractors. Nothing in this Agreement may be construed as giving the City any right or duty to supervise or control Contractor, its subcontractors, employees or agents.

10. Subcontractors. Contractor may not use subcontractors for any Work, except those subcontractors for which the City has given Contractor prior written approval. Unless Contractor has obtained the City's prior approval to subcontract, Contractor warrants that all equipment used in the Work are owned/leased, operated and controlled by Contractor. Contractor is liable to the City for each subcontractor's performance of Work as if the Work was performed by Contractor itself.

11. Nonexclusive Use of Equipment. Contractor may use its Trailers for purposes other than those connected with the performance of this Agreement. However, Contractor shall have, at all times, sufficient personnel, equipment and Trailers available to perform its obligations under this Agreement.

12. Force Majeure.

- a) Means any event relied upon by the CONTRACTOR as justification for delay in, or as excuse from complying with, any obligation required of the CONTRACTOR under this Agreement, including, without limitation: (i) an act of God, landslide, lightning, earthquake, fire, explosion, storm, flood or similar occurrence; (ii) any act of any federal, state, county or local court, administrative agency or governmental office or body that stays, invalidates or otherwise affects this Agreement, the operation of, or any permits or licenses associated with or related to, the provided such action is not a result of the acts of CONTRACTOR; (iii) the denial, loss, suspension, expiration, termination, failure of renewal (iv) the adoption or change (including a change in interpretation or enforcement) of any federal, state, county or local law, rule, permit, regulation or ordinance after the Effective Date hereof, applicable to the obligations hereunder, including, without limitation, such changes that have a substantial or material adverse effect on the cost of performing the contractual obligations herein; (v) the institution of a legal or administrative action or similar proceeding by any person or entity that delays or prevents any aspect of the acceptance and/or disposal of Waste provided such action is not a result of the acts of the CONTRACTOR.
- b) For purposes of this Agreement, a strike shall not be considered a Force Majeure.
- c) In the event of a Force Majeure, the affected party shall notify the other party immediately in writing, setting fourth the particulars of the circumstances, its expected



duration, and the steps it is taking to overcome the cause. A second notice shall be given immediately after the effect of such Force Majeure has ceased.

13. Allocation of Risk. The City shall be deemed the sole owner of the contents of the Trailers. Contractor shall only accept and transport to the Landfill all Acceptable Waste which is loaded into the Trailers at the Transfer Station. The City shall retain ownership of the Waste until the Waste is received by the Landfill. At no time, does the Contractor obtain ownership of the Waste. It is the City's responsibility to provide Acceptable Waste for transport by Contractor.

If the Landfill determines that Waste loaded on the trailer by the City is unacceptable for disposal at the Landfill, the City shall remain obligated to pay Contractor in accordance with the terms in Paragraph 6 above for such loads of Waste. In addition, the City shall reimburse Contractor's extra transportation costs incurred as a result of unacceptable waste being included in the loads tendered by the City to the Contractor for transportation pursuant to this Agreement, in accordance with the terms in Paragraph 6 (b).

14. Indemnification. To the maximum extent permitted by law, Contractor agrees to indemnify, defend and hold harmless the City from and against all claims actions, including reasonable attorney's fees, based on or arising out of damage or injury to persons (including employees, agents, or subcontractor) or property, to the extent caused by willful conduct, error, omission or negligent act of Contractor or any of the Contractor's directors, officers, employees, agents or subcontractors in the performance of this Agreement or any breach of any term of this Agreement.

The Customer agrees to indemnify, protect, defend, save and hold harmless the CONTRACTOR, its parent corporations, partners, members, subsidiaries and Affiliates, and the officers, directors, shareholders, agents, employees, representatives, attorneys, successors and assigns thereof, from any loss, claim, liability, penalty, fine, forfeiture, demand, cause of action, suit and costs and expenses incidental thereto (including all court and settlement costs, attorneys' fees, and expert witness and consultation fees), caused by or resulting from (i) any negligent or willful act or omission of the Customer or its agents, employees, contractors, subcontractors or representatives in connection with this Agreement, including the Customer's negligent execution of, or failure to execute, its duties or obligations under this Agreement, (ii) a breach by the Customer of any of the covenants, agreements, representations, warranties, duties or obligations of the Customer set forth in this Agreement

Notwithstanding any other provision to the contrary, the indemnification provisions of this Paragraph 14 shall survive the termination of this Agreement.

15. Default.

- a) Contractor will be considered to be in default of its obligations under this agreement including, but not limited to the following conditions:

- 1) Failure to provide sufficient empty Trailers to the staging area at the Transfer Station at all times. If no empty Trailers are available in the staging area, Contractor shall have three (3) hours to remedy the situation;
  - 2) Failure to accept, transport and unload Acceptable Waste tendered by the City;
  - 3) Failure to maintain at its sole cost and expense the insurance provided for in Paragraph 16 below.
  - 4) Failure to maintain, or comply with, all requirements, any and all permits, approvals or licenses required by federal, state or local law, statute or ordinance necessary to Contractor's performance of this Agreement; or
  - 5) Failure to otherwise comply with any material term or provision of this Agreement.
- b) The City will be considered to be in default if its obligations under this Agreement under the following conditions.
- 1) Failure to make timely payments as required by this Agreement;
  - 2) Failure to otherwise comply with any material term or provision of this Agreement.
- c) Any such default by either party shall provide good cause for termination if not cured within seven (7) calendar days after the defaulting party receives written notice from the other party. In addition, three events of default within any 12 month period shall promote good cause for termination, whether or not any or all of them were timely cured.

16. Insurance. Contractor will provide certificate of insurance, with the City named as additional insured prior to beginning operations and on an annual basis. All policies shall provide for sixty (60) days advance written notice of material changes, cancellation, or non-renewal. Contractor will maintain at its expense at least the following limits of occurrence-based insurance during this Agreement.

Worker's Compensation Insurance as required by law, and Employer liability Insurance with a minimum limit of \$100,000 each accident.

Comprehensive or Commercial General Liability Insurance including blanket contractual and personal injury liability insurance with limits of \$1,000,000 each occurrence combined bodily injury and property damage; \$1,000,000 aggregate.

Comprehensive (Business) Automobile Liability Insurance covering all owned, non-owned, and hired vehicles with limits of liability of \$2,000,000 each occurrence combined injury and property damage.

17. The City of Greensboro is self-funding (self-insurance) of liabilities. Our Independent Insurance Advisor will provide evidence of such self-insurance or insurance coverage. (Attachment A)

18. Amendments to this Agreement. All provisions of this Agreement shall be strictly complied with and conformed to by the parties, and no amendment to this Agreement shall be made except upon written consent of the parties. No amendment shall be construed to release either party from any obligation of this Agreement except as specifically provided in such amendment.

19. Time of Essence. Time limits and performance deadlines stated in this Agreement are of essence.

20. Waiver. A waiver by either party of any breach of any provision hereof shall not be taken or held to be a waiver of any subsequent breach whether similar or dissimilar, or as a waiver of any provision it self. No payment or acceptance of compensation for any period subsequent to any breach shall be deemed a waiver of any right or acceptance of defective performance. Where the condition to be waived is a material part of this Agreement such that its wavier would affect the essential bargains of the parties, the waiver must be supported by consideration and take the form of a contract modification as provided for elsewhere in this Agreement.

21. Notice. All notices shall be in writing and sent certified or registered mail (postage prepaid), facsimile transmission or confirmed receipt overnight delivery to the following address:

To Contractor:	Hilco Transport, Inc. 7700 Kenmont Rd. Greensboro, NC 27409 Attn: Gurney Long Fax: 336-273-9701
To City:	City of Greensboro P.O. Box 3136 Greensboro, NC 27402-3136 Attn: Director Environmental Services Fax: 336-373-2988
	City of Greensboro White Street Landfill 2503 White Street Greensboro, NC Attn: Waste Disposal Manager Fax: 336-373-7656

The date of time of receipt for purposes of all notices required or allowed under this Agreement shall be the time or date the relevant document was sent by registered or certified mail in accordance with the provisions hereof, or personally delivered to or acknowledged receipt at the proper address, or on the business day following a successful facsimile transmission. Any party may change its address for notices hereunder on not less than five (5) days notice by delivering a notice of such change in accordance with the provisions of this Agreement.

22. Choice of Law. This Agreement will be governed by North Carolina law, without regard to choice of law rules.

23. Severance. In the event any provision of this Agreement is found by a court of competent jurisdiction to be void, invalid or unenforceable, the balance of this Agreement shall remain in effect and binding on the parties.

24. Merger. This Agreement constitutes the entire agreement and understanding between the parties thereto regarding this subject matter and may not be modified, in any respect except in writing signed by both parties.

25. Assignment. Contractor may not assign any of its rights or obligations under this Agreement without the prior written consent of the City. The City may not assign any of its rights or obligations under this Agreement without the prior written consent of the Contractor.

26. Should the City decide to out source the Transfer Station operations, Hilco will have first right of refusal to present to the City an agreement to assume these operations.

IN WITNESS WHEREOF: the parties have executed this Agreement as of the date first entered above.

Hilco Transport, Inc.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Corporate Seal:

# Rate Fee Schedule

City of Greensboro  
Greensboro, NC

**Prices for MSW Transportation Services Only to Landfill:**

PRICE - TRANSPORTATION OF MSW \$/Mile (Round-Trip Mile)			
Annual Tonnage	50 – 100	101 – 150	151 – 200
60,000 – 100,000	2.868	1.712	1.594
100,001 – 150,000	2.707	1.694	1.594
150,001 – 200,000	2.707	1.694	1.594
200,001 – 250,000	2.707	1.694	1.594

Contractor's price is based on a usable trailer capacity of 122-130 cubic yards

# Fuel Surcharge Chart

City of Greensboro

Greensboro, NC

The above pricing for hauling shall increase or decrease by (1%) for every 8-cent increase/decrease in the price of diesel fuel above/below the threshold price of \$1.981 per gallon. Calculations shall be made and become effective the first Monday of each month based upon the United States Department of Energy PADD 1Z Lower Atlantic price or Tuesday if Monday is a Federal holiday.

- 1) A surcharge will be added to all line-haul rates and charges provided in this schedule and subsequent amendments hereto, determined by the table and method below.
- 2) The weekly Department of Energy (DOE) Diesel Fuel Price Index as shown in the Transport Topics and reported by the DOE Index Service, phone no. (202) 586-6966, will be used as announced on the first Monday of each Month, or on Tuesday when Monday is a Federal holiday\*.

Average Price/Gallon		Percent of Surcharge
\$ 1.421	\$ 1.500	-7.0%
\$ 1.501	to \$ 1.580	-6.0%
\$ 1.581	to \$ 1.660	-5.0%
\$ 1.661	to \$ 1.740	-4.0%
\$ 1.741	to \$ 1.820	-3.0%
\$ 1.821	to \$ 1.900	-2.0%
\$ 1.901	to \$ 1.980	-1.0%
\$ 1.981	to \$ 2.060	0.0%
\$ 2.061	to \$ 2.140	1.0%
\$ 2.141	to \$ 2.220	2.0%
\$ 2.221	to \$ 2.300	3.0%
\$ 2.301	to \$ 2.380	4.0%
\$ 2.381	to \$ 2.460	5.0%
\$ 2.461	to \$ 2.540	6.0%
\$ 2.541	to \$ 2.620	7.0%
\$ 2.621	to \$ 2.700	8.0%
\$ 2.701	to \$ 2.780	9.0%
\$ 2.781	to \$ 2.860	10.0%
\$ 2.861	to \$ 2.940	11.0%
\$ 2.941	to \$ 3.020	12.0%
\$ 3.021	to \$ 3.100	13.0%
\$ 3.101	to \$ 3.180	14.0%
\$ 3.181	to \$ 3.260	15.0%

Average Price/Gallon		Percent of Surcharge
\$ 3.261	to \$ 3.340	16.0%
\$ 3.341	to \$ 3.420	17.0%
\$ 3.421	to \$ 3.500	18.0%
\$ 3.501	to \$ 3.580	19.0%
\$ 3.581	to \$ 3.660	20.0%
\$ 3.661	to \$ 3.740	21.0%
\$ 3.741	to \$ 3.820	22.0%
\$ 3.821	to \$ 3.900	23.0%
\$ 3.901	to \$ 3.980	24.0%
\$ 3.981	to \$ 4.060	25.0%
\$ 4.061	to \$ 4.140	26.0%
\$ 4.141	to \$ 4.220	27.0%
\$ 4.221	to \$ 4.300	28.0%
\$ 4.301	to \$ 4.380	29.0%
\$ 4.381	to \$ 4.460	30.0%
\$ 4.461	to \$ 4.540	31.0%
\$ 4.541	to \$ 4.620	32.0%
\$ 4.621	to \$ 4.700	33.0%
\$ 4.701	to \$ 4.780	34.0%
\$ 4.781	to \$ 4.860	35.0%
\$ 4.861	to \$ 4.940	36.0%
\$ 4.941	to \$ 5.020	37.0%
\$ 5.021	to \$ 5.100	38.0%

\*Based on PADD 1Z Lower Atlantic pricing



## CONTRACT EXECUTION FORM

**Recommended by:**

\_\_\_\_\_  
Environmental Services Director

Date: \_\_\_\_\_

**FINANCE DEPARTMENT**

**City of Greensboro, North Carolina**

Payments on this contract are contingent upon sufficient appropriations being approved by City Council in succeeding fiscal years' budgets.

By: \_\_\_\_\_  
Printed  
Name: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

**Approved as to form:**

**LEGAL DEPARTMENT**

**City of Greensboro, North Carolina**

By: \_\_\_\_\_  
Printed  
Name: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

**CITY MANAGER'S OFFICE**

**City of Greensboro, North Carolina**

By: \_\_\_\_\_  
Printed  
Name: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

**CITY CLERK**

**City of Greensboro, North Carolina**

By: \_\_\_\_\_  
Printed  
Name: \_\_\_\_\_

Date: \_\_\_\_\_

Seal:

## Attachment A

## **GUILFORD CITY/COUNTY INSURANCE ADVISORY COMMITTEE**

**Laurence Aikens**  
**John Causey, CLU, ChFC, CSA**  
**Ron Davidson, CLU, LUTCF**  
**Woodroe Haywood, CPCU**  
**Rudy Hinnant, CIC, LUTCF, CSA**  
**Annie F. Parham**  
**Larry E. Wallace, RHU, LUTCF**

**620 Green Valley Road**  
**Suite 302**  
**Greensboro, NC 27408**  
**Telephone 299-1991**  
**Telephone 299-1339**  
**Fax (336) 299-1713**

**C. Fred Carlson, CLU**  
**Chairman**  
**Anthony Vincent, LUTCF**  
**Vice-Chairman**  
**Everette Arnold, CPCU, ARM**  
**Executive Director**

March 28, 2006

Re: City of Greensboro

The City of Greensboro is self-funded for all liability losses. Any contract signed by the City will be covered under the self-funding plan according to the provisions of the contract. The first \$100,000 of any liability loss will be self-funded by the City and any higher amount will be payable by the Local Government Excess Liability Fund, Inc., up to a total of \$3,000,000 (subject to the provisions of the Excess Liability Fund). We have determined that such self-funding is reasonable and appropriate Risk Management by the City at this time. Effective April 20, 2006, the City purchased \$5,000,000 excess liability above the \$3,000,000 retained limit from Genesis Insurance Company. The Local Government Excess Liability Fund, Inc. will pay an additional \$800,000 for claims above the \$5,000,000 excess policy amount.

The City of Greensboro is insured under Excess of Loss Property Insurance Plan with Affiliated FM Insurance Company, which will expire on July 1, 2006. This policy will provide insurance on property items, including those subject to the above referenced agreement, at replacement values for buildings and contents. The first \$100,000 of any loss per claim will be self-funded by the City. The policy will pay losses over \$100,000 up to the \$250,000,000 limit. The City is self-funded for over-the-road physical damage losses to equipment and vehicles. We have determined that such self-funding is reasonable and appropriate Risk Management by the City at this time.

The City of Greensboro is insured under policy number EWC007322 with Midwest Employers Casualty Company for Workers' Compensation and Employer's Liability. The term of the coverage is July 1, 2005 to July 1, 2006 with a statutory limit and \$2,000,000 Employer's Liability. The self-funded retention of the City is \$600,000 and applies for each accident. The self-funded retention is paid by the City, and the Midwest Employers Casualty Company policy applies as excess above the primary retention by the City. We have determined that such self-funding is reasonable and appropriate Risk Management by the City at this time.

The aforementioned self-insurance and insurance coverage is in compliance with the requirements of the Trust Agreement securing the above-mentioned bonds.

By copy of this letter, we are notifying Mr. Andrew Gravesen at Affiliated FM and Mr. Greg Vahle at Midwest Employers Casualty Company of this agreement.

Very truly yours,

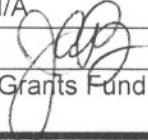
Everette Arnold, CPCU, ARM  
Executive Director

cc: Andrew Gravesen (via Email)  
Dick Dickens (via Email)  
Greg Vahle (via Email)  
Richard Lusk



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Grant Project Budget Ordinance for GTA's Higher Education Area Transit (HEAT) Service

Department:	Transportation Department	Current Date:	July 5, 2006
Contact 1:	Jim Westmoreland	Public Hearing:	N/A
Phone:	373-2863	Advertising Date:	N/A
Contact 2:	Libby James	Advertised By:	N/A
Phone:	373-2820	Authorized Signature:	
Attachments:	Attachment A: Ordinance Amending State, Federal, and Other Grants Fund Budget for CMAQ Grant for Higher Education Area Transit (HEAT) Program		

**PURPOSE:**

On October 6, 2005, the North Carolina Board of Transportation (of the NCDOT) approved an amendment to the FY 2006 - FY 2012 State Transportation Improvement Program awarding the City of Greensboro and GTA a multi-year federal Congestion Mitigation and Air Quality (CMAQ) Program grant to establish and operate a new transit service element for the City's Colleges and Universities (HEAT Service). A budget amendment needs to be approved by the City Council to establish initial project funding for the HEAT Service and for the first year of the grant.

**BACKGROUND:**

For over two years, the Greensboro Transit Authority has been involved in an extensive planning process with all local institutions of higher learning, the NCDOT, and many other community stakeholders to create a new student transportation service for Greensboro's approximately 60,000 students. The new service (HEAT) is designed to enhance student mobility (by providing specific services that move college students to and between campuses), to provide convenient and affordable access to all of Greensboro (through the use of student ID cards which will access GTA's extensive fixed route system and services), and to generally reduce unnecessary vehicle trips by students and to reduce the need to build more on-campus parking for participating institutions and their growing student populations.

In November of 2005, the City of Greensboro and GTA became aware of a federal CMAQ grant opportunity through the NCDOT. As presented, the grant would provide 80% of the system capital costs and 80% of the system operating expenses for the first three years. The other 20% of the capital costs would be provided and sponsored by the NCDOT and, the other 20% of the operating costs would be provided by the participating institutions and future expected increases in federal and state operating assistance created by projected HEAT ridership increases. To follow-up, GTA developed and submitted a CMAQ grant application to the NCDOT in February 2005. This application was supported by resolutions from the City Council, the GTA Board, the Greensboro Urban Area MPO, and six participating institutions (UNCG, Guilford College, Greensboro College, Bennett College, Elon University School of Law, and GTCC). In October 2005, the NC Board of

Transportation approved GTA's application and awarded the City of Greensboro and GTA a 4 year, \$8,202,695 CMAQ grant (\$6,562,156 – 80% CMAQ Funding, \$1,640,539 – 20% Match) for the implementation of the new HEAT service. In June 2006, GTA finally received notification from the NCDOT that the grant was established, that it would be processed through the Federal Transit Administration (FTA), and that the first year's grant funding was available. The new service is planned to begin on August 8, 2006.

**BUDGET IMPACT:**

The CMAQ grant will provide 80% of the system capital costs and 80% of the system operating expenses for the first three years. The total project funding is as follows:

\$6,562,156	(80%) Federal
<u>\$1,640,539</u>	(20%) Local Match
\$8,202,695	(100%) Total

The Year 1 (FFY 2006) project funding is as follows:

\$1,175,628	(80%) Federal
<u>\$ 293,907</u>	(20%) Local Match
\$1,469,535	(100%) Total

The City will annually apply for future CMAQ grant funds to support the project. The 20% local match for the capital costs will be provided and sponsored by the NCDOT and, the 20% local match for the operating costs will be provided by the participating institutions and future expected increases in federal and state operating assistance created by projected HEAT ridership increases.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that the City Council adopt the attached budget ordinance establishing funding in the amount of \$1,469,535 for Capital and Operating assistance for the HEAT Service.



**Attachment A**

**ORDINANCE AMENDING STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR CMAQ  
GRANT FOR HIGHER EDUCATION AREA TRANSIT (HEAT) PROGRAM**

**Section 1**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>AMOUNT</u></b>
220-4569-01.5211	Postage	\$4,000
220-4569-01.5221	Advertising	\$20,000
220-4569-01.5224	Outside Printing & Publishing	\$3,000
220-4569-01.5245	Diesel Fuel	\$118,470
220-4569-01.5254	Rental Equipment	\$318,000
220-4569-01.5413	Consultant Services	\$78,645
220-4569-01.5423	Contracted Transportation	\$840,000
220-4569-01.5431	In-House Printing	\$4,000
220-4569-01.5435	Radio Services	\$8,820
220-4569-01.5710	Insurance Premiums	\$13,000
220-4569-01.5917	Licenses Fees & Other	\$1,600
220-4569-01.5949	Miscellaneous	\$4,000
220-4569-01.6059	Other Capital Equipment	<u>\$56,000</u>
<b>Total</b>		<b>\$1,469,535</b>

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>AMOUNT</u></b>
220-4569-01.7100	Federal Grant (CMAQ)	\$1,175,628
220-4569-01.7110	State Grant	\$146,954
220-4569-01.7170	Other Revenue	<u>\$146,953</u>
<b>Total</b>		<b>\$1,469,535</b>

**Section 2**

And, that this ordinance should become effective upon adoption.

Agenda Item: \_\_\_\_\_



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Introduction of Bond Order Authorizing \$8,600,000 Library Facilities General Obligation Bonds and Resolution calling a Public Hearing on said Bond Order on July 31, 2006

Department:	Finance	Current Date:	July 10, 2006
Contact 1:	Richard Lusk, Finance Director	Public Hearing:	
Phone:	373-2077	Advertising Date:	
Contact 2:	Linda Miles, City Attorney	Advertised By:	
Phone:	373-2320	Authorized Signature:	
Attachments:	Proceedings on Proposed General Obligation Bonds, including (A) Amendments to Previously Authorized Bond Orders, (B) Introduction of Library Facilities Bond Order, (C) Resolution Designating the Finance Director to File Sworn Statement of Debt and (D) Resolution Calling a Public Hearing on Authorized Bond Orders on July 31, 2006.		

**PURPOSE:** The City is proposing to issue up to \$114,950,000 in General Obligation Bonds pursuant to a November 7, 2006 voter referendum. On July 18, 2006, City Council will consider authorization of an \$8,600,000 Library Facilities Bond Order. If approved, City Council shall call a public hearing on July 31, 2006 on the Library Facilities Bond Order. A public hearing is also scheduled on July 31 on the (10) bond orders previously approved on June 20, 2006. City Council shall also authorize the Finance Director to file a Sworn Statement of Debt with the City Clerk in conjunction with the proposed general obligation bonds.

**BACKGROUND:** The City Council has reviewed various capital project needs and has developed a prospective list of items to be included in a bond referendum in the amount of \$114,950,000:

- \$24,500,000 Fire Station Bonds
- \$ 5,200,000 Public Building Renovation Bonds
- \$10,000,000 Economic Development Bonds
- \$ 8,600,000 Library Facilities Bonds
- \$ 5,300,000 Greensboro Historical Museum Bonds
- \$36,000,000 War Memorial Auditorium Bonds
- \$ 5,000,000 Parks & Recreation Facilities Bonds
- \$ 850,000 Neighborhood Redevelopment Bonds
- \$ 5,500,000 War Memorial Baseball Stadium Bonds
- \$ 9,000,000 Swimming Center Bonds
- \$ 5,000,000 International Civil Rights Museum Bonds

**BUDGET IMPACT:** Any increase in property taxes necessary to service debt on the bonds is not expected to exceed 3.00 cents per \$100 assessed valuation.

**RECOMMENDATION / ACTION REQUESTED:** It is recommended by Legal and Finance that the City Council approve the attached resolutions, amending certain bond orders previously authorized on June 20, 2006, approving the \$8,600,000 Library Facilities Bond Order, calling a public hearing on the Library Facilities Bond Order, and designating the Finance Director to file a Sworn Statement of Debt with the City Clerk.

Agenda Item: **36-41**

A regular meeting of the City Council of the City of Greensboro, North Carolina, was held at the City Council Chamber in the Melvin Municipal Office Building in Greensboro, North Carolina, the regular place of meeting, at 5:30 P.M., on Tuesday, July 18, 2006.

Present: Mayor Keith A. Holliday, presiding, and Councilmembers \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

Absent: \_\_\_\_\_.

Also present: Mitchell E. Johnson, City Manager, Richard L. Lusk, Finance Director, Linda A. Miles, City Attorney, and Juanita F. Cooper, City Clerk.

\* \* \* \* \*

Mayor Holliday introduced the following order, which was read by title and summarized by the City Manager, a copy thereof having been provided to each Councilmember prior to the meeting:

“ORDER AMENDING THE ORDER INTRODUCED AND PASSED ON FIRST READING ON JUNE 20, 2006, ENTITLED: ‘ORDER AUTHORIZING \$9,000,000 AQUATIC CENTER BONDS’ IN ORDER TO CHANGE THE DESIGNATION OF SAID BONDS”

WHEREAS, on June 20, 2006 the City Council of the City of Greensboro, North Carolina (the “City Council”) introduced and passed on first reading an order entitled: “ORDER AUTHORIZING \$9,000,000 AQUATIC CENTER BONDS”; and

WHEREAS, the City Council has determined to amend said order in order to change the designation of the bonds authorized by said order to “Swimming Center Bonds”; and to change all references to such bonds contained in Section 1 of said order to “Swimming Center Bonds”; now, therefore,

BE IT ORDERED by the City Council of the City of Greensboro that the order introduced and passed on first reading by the City Council on June 20, 2006, entitled: "ORDER AUTHORIZING \$9,000,000 AQUATIC CENTER BONDS", is hereby amended to change the title thereof to "ORDER AUTHORIZING \$9,000,000 SWIMMING CENTER BONDS" and to change all references to the bonds authorized in Section 1 thereof from "Aquatic Center Bonds" to "Swimming Center Bonds".

Thereupon, upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, the order entitled: "ORDER AMENDING THE ORDER INTRODUCED AND PASSED ON FIRST READING ON JUNE 20, 2006, ENTITLED: 'ORDER AUTHORIZING \$9,000,000 AQUATIC CENTER BONDS' IN ORDER TO CHANGE THE DESIGNATION OF SAID BONDS" was passed by roll call vote as follows:

Ayes: Councilmembers \_\_\_\_\_

\_\_\_\_\_.

Noes: \_\_\_\_\_.

The Mayor thereupon announced that the order entitled: "ORDER AMENDING THE ORDER INTRODUCED AND PASSED ON FIRST READING ON JUNE 20, 2006, ENTITLED: 'ORDER AUTHORIZING \$9,000,000 AQUATIC CENTER BONDS' IN ORDER TO CHANGE THE DESIGNATION OF SAID BONDS" had passed by a vote of \_\_ to \_\_.

Thereupon Mayor Holliday introduced the following order, which was read by title and summarized by the City Manager, a copy thereof having been provided to each Councilmember prior to the meeting:

“ORDER AMENDING THE ORDER INTRODUCED AND PASSED ON FIRST READING ON JUNE 20, 2006, ENTITLED: ‘ORDER AUTHORIZING \$5,500,000 WAR MEMORIAL STADIUM BONDS’ IN ORDER TO CHANGE THE DESIGNATION OF SAID BONDS”

WHEREAS, on June 20, 2006 the City Council of the City of Greensboro, North Carolina (the “City Council”) introduced and passed on first reading an order entitled: “ORDER AUTHORIZING \$5,500,000 WAR MEMORIAL STADIUM BONDS”; and

WHEREAS, the City Council has determined to amend said order in order to change the designation of the bonds authorized by said order to “War Memorial Baseball Stadium Bonds”; and to change all references to such bonds contained in Section 1 of said order to “War Memorial Baseball Stadium Bonds”; now, therefore,

BE IT ORDERED by the City Council of the City of Greensboro that the order introduced and passed on first reading by the City Council on June 20, 2006, entitled: “ORDER AUTHORIZING \$5,500,000 WAR MEMORIAL STADIUM BONDS”, is hereby amended to change the title thereof to “ORDER AUTHORIZING \$5,500,000 WAR MEMORIAL BASEBALL STADIUM BONDS” and to change all references to the bonds authorized in Section 1 thereof from “War Memorial Stadium Bonds” to “War Memorial Baseball Stadium Bonds”.

Thereupon, upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, the order entitled: “ORDER AMENDING THE ORDER

INTRODUCED AND PASSED ON FIRST READING ON JUNE 20, 2006, ENTITLED:  
'ORDER AUTHORIZING \$5,500,000 WAR MEMORIAL STADIUM BONDS' IN ORDER  
TO CHANGE THE DESIGNATION OF SAID BONDS" was passed on by roll call vote as  
follows:

Ayes: Councilmembers \_\_\_\_\_

\_\_\_\_\_.

Noes: \_\_\_\_\_.

The Mayor thereupon announced that the order entitled: "ORDER AMENDING THE  
ORDER INTRODUCED AND PASSED ON FIRST READING ON JUNE 20, 2006,  
ENTITLED: 'ORDER AUTHORIZING \$5,500,000 WAR MEMORIAL STADIUM BONDS'  
IN ORDER TO CHANGE THE DESIGNATION OF SAID BONDS" had passed by a vote of \_\_\_\_  
to \_\_\_\_.

Thereupon Mayor Holliday introduced the following order, which was read by title and summarized by the City Manager, a copy thereof having been provided to each Councilmember prior to the meeting:

“ORDER AMENDING THE ORDER INTRODUCED AND PASSED ON FIRST READING ON JUNE 20, 2006, ENTITLED: ‘ORDER AUTHORIZING \$5,200,000 MUNICIPAL BUILDING BONDS’ IN ORDER TO CHANGE THE DESIGNATION OF SAID BONDS”

WHEREAS, on June 20, 2006 the City Council of the City of Greensboro, North Carolina (the “City Council”) introduced and passed on first reading an order entitled: “ORDER AUTHORIZING \$5,200,000 MUNICIPAL BUILDING BONDS”; and

WHEREAS, the City Council has determined to amend said order in order to change the designation of the bonds authorized by said order to “Public Building Renovation Bonds”; and to change all references to such bonds contained in Section 1 of said order to “Public Building Renovation Bonds”; now, therefore,

BE IT ORDERED by the City Council of the City of Greensboro that the order introduced and passed on first reading by the City Council on June 20, 2006, entitled: “ORDER AUTHORIZING \$5,200,000 MUNICIPAL BUILDING BONDS”, is hereby amended to change the title thereof to “ORDER AUTHORIZING \$5,200,000 PUBLIC BUILDING RENOVATION BONDS” and to change all references to the bonds authorized in Section 1 thereof from “Municipal Building Bonds” to “Public Building Renovation Bonds”.

Thereupon, upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, the order entitled: “ORDER AMENDING THE ORDER INTRODUCED AND PASSED ON FIRST READING ON JUNE 20, 2006, ENTITLED:



'ORDER AUTHORIZING \$5,200,000 MUNICIPAL BUILDING BONDS' IN ORDER TO CHANGE THE DESIGNATION OF SAID BONDS" was passed by roll call vote as follows:

Ayes: Councilmembers \_\_\_\_\_

\_\_\_\_\_.

Noes: \_\_\_\_\_.

The Mayor thereupon announced that the order entitled: "ORDER AMENDING THE ORDER INTRODUCED AND PASSED ON FIRST READING ON JUNE 20, 2006, ENTITLED: 'ORDER AUTHORIZING \$5,200,000 MUNICIPAL BUILDING BONDS' IN ORDER TO CHANGE THE DESIGNATION OF SAID BONDS" had passed on by a vote of \_\_\_\_ to \_\_\_\_.

Thereupon Mayor Holliday introduced the following order, which was read by title and summarized by the City Manager, a copy thereof having been provided to each Councilmember prior to the meeting:

ORDER AUTHORIZING  
\$8,600,000 LIBRARY FACILITIES BONDS

BE IT ORDERED by the City Council of the City of Greensboro:

1. That, pursuant to The Local Government Bond Act, as amended, the City of Greensboro, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Library Facilities Bonds in an aggregate principal amount not exceeding \$8,600,000 for the purpose of providing funds, together with any other available funds, for constructing, equipping and furnishing new branch libraries and renovating and expanding existing branch libraries, including the acquisition of any necessary land therefor.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect when approved by the voters of said City at a referendum as provided in said Act.

Thereupon, upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, the order entitled: "ORDER AUTHORIZING \$8,600,000 LIBRARY FACILITIES BONDS" was passed on first reading by roll call vote as follows:

Ayes: Councilmembers \_\_\_\_\_

\_\_\_\_\_.

Noes: \_\_\_\_\_.

The Mayor thereupon announced that the order entitled: "ORDER AUTHORIZING \$8,600,000 LIBRARY FACILITIES BONDS" had passed on first reading by a vote of \_\_ to \_\_.

Thereupon Mayor Holliday introduced and read the following resolution:

RESOLUTION DESIGNATING THE FINANCE DIRECTOR  
TO FILE THE SWORN STATEMENT OF DEBT

BE IT RESOLVED that the Finance Director be and he is hereby designated as the officer to make and file with the City Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed before the public hearing on the bond order which was introduced and passed on first reading at this meeting.

Thereupon the City Attorney stated that she had approved as to form the foregoing resolution.

Upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, the foregoing resolution was passed by roll call vote as follows:

Ayes: Councilmembers \_\_\_\_\_  
\_\_\_\_\_.

Noes: \_\_\_\_\_.

The Mayor thereupon announced that the resolution entitled: "RESOLUTION DESIGNATING THE FINANCE DIRECTOR TO FILE THE SWORN STATEMENT OF DEBT" had passed by a vote of \_\_ to \_\_.

Thereupon the Finance Director filed with the City Clerk, in the presence of the City Council, the sworn statement of debt as so required.

Thereupon Mayor Holliday introduced and read the following resolution:

RESOLUTION CALLING A PUBLIC HEARING  
CONCERNING THE ORDER  
AUTHORIZING \$8,600,000 LIBRARY FACILITIES BONDS,

BE IT RESOLVED that a public hearing upon the above-mentioned bond order will be held on July 31, 2006, at 5:30 P.M., in the City Council Chamber in the Melvin Municipal Office Building, 300 West Washington Street, Greensboro, North Carolina, and the City Clerk is hereby directed to publish said order, together with the appended note required by The Local Government Bond Act, as amended, in The Greensboro News & Record not later than the sixth day before said date.

Thereupon the City Attorney stated that she had approved as to form the foregoing resolution.

Thereupon, upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, the resolution entitled: "RESOLUTION CALLING A PUBLIC HEARING CONCERNING THE ORDER AUTHORIZING \$8,600,000 LIBRARY FACILITIES BONDS" was passed by roll call vote as follows:

Ayes: Councilmembers \_\_\_\_\_

\_\_\_\_\_.

Noes: \_\_\_\_\_.

The Mayor thereupon announced that the resolution entitled: "RESOLUTION CALLING A PUBLIC HEARING CONCERNING THE ORDER AUTHORIZING \$8,600,000 LIBRARY FACILITIES BONDS" had passed by a vote of \_\_ to \_\_.

\*

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I, Juanita F. Cooper, City Clerk of the City of Greensboro, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and correct copy of so much of the proceedings of the City

Council of said City at a regular meeting held on July 18, 2006 as relates in any way to (a) the passage of orders amending certain of the bond orders introduced and passed on first reading on June 20, 2006 and (b) the introduction and passage on first reading of an order authorizing \$8,600,000 Library Facilities Bonds of said City and the calling of a public hearing upon said order and that said proceedings are recorded in the official minutes of said City Council.

I DO HEREBY FURTHER CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held on the first and third Tuesdays of each month at 5:30 P.M., except that if any such regular meeting day is a legal holiday, such meeting will not be held, in the City Council Chamber of the Melvin Municipal Office Building, 300 West Washington Street, Greensboro, North Carolina, has been on file in my office pursuant to G.S. §143-318.12 as of a date not less than seven days before said meeting.

WITNESS my hand and the corporate seal of said City, this \_\_\_\_ day of July, 2006.

---

City Clerk

(SEAL)



City of Greensboro  
City Council  
Agenda Item

TITLE: Modification – Watershed Critical Area – Air Harbor Road

Department: Planning

Current Date: 6-30-06

Contact 1: Dick Hails

Public Hearing: No

Phone: 373-2922

Advertising  
Date: NA

Contact 2: Alec MacIntosh

Advertised By:

Phone: 272-2747

Authorized Signature: *R. W. Hails*

Attachments: Attachment "A" – Letter of Request, Attachment "B" – FAA Required Approach Zone, Attachment "C" – Minutes from the Planning Board meeting.

**PURPOSE:**

The Development Ordinance requires Tier 1 of the Watershed Critical Area be used for public purposes and remain undisturbed. The applicant's proposal is to cut down several large trees at the west end of the runway that interfere with take-offs and landings. The Airport's letter of request is included as Attachment "A"

**BACKGROUND:**

Development Ordinance/Airport's Request: This request is for a modification to Section 30-7-3.1(B)1)b) of the Development Ordinance which states that Tier 1 of the Watershed Critical Area is intended for public purpose and should remain undisturbed. The applicant's proposal is to cut down several large trees at the west end of the runway that interfere with take-offs and landings. The Development Ordinance states that for watershed modifications within the Watershed Critical Area (WCA) the Technical Review Committee shall conduct a technical evaluation and report its findings to the Planning Board. The Planning Board shall make a recommendation to the City Council, which shall approve or deny the modification request

TRC Action: After reviewing the request on June 20, 2006, the TRC recommended approval of the modification to allow the airport to cut down and maintain the tree growth (in the area specified on the site plans) in the future with the following conditions: 1) Any trees that are cut will be cut such that the stump remaining is at least 3-4 feet high. 2) The trees will remain where they are felled, except any tree that falls across or onto the existing City trail is to be removed from the trail. 3) The trees are to be cut down by using only hand-held equipment. 4) Appropriate reforestation, in accordance with Section 30-5-4.7(C) of the Greensboro Development Ordinance, is required somewhere in the vicinity of the airport. (One possible area is in the northwest quadrant of the airport.) The plant species and size shall be in accordance with Section 30-5-4.7(C) (1) (a) of the ordinance. One tree will be required for every 200 square feet of disturbance/cutting. This recommendation (with the conditions) was made based on the finding of "Other Constraints." The TRC has found that the FAA rule for a clear approach zone prevents compliance with the City's regulations.



Planning Board Meeting: At the June 21, 2006, Planning Board meeting the Board voted to recommend approval of the requested modification. A copy of the minutes from that meeting is included as Attachment "C".

Issues: City Council is to consider the three (3) grounds for a modification, as listed below, in granting the applicant's request. The granting of the modification must be based on one or more of three (3) possible grounds for approval of a modification. These grounds, contained in the Development Ordinance, are as follows: Grounds #1 is "Equal or Better Performance" which is a finding that the alternate standards portrayed on the plan (clearing) will perform equal to or better than the regulations in furtherance of the purposes of the Ordinance; Grounds #2 is "Physical Constraints" which is a finding that the size, topography, or existing development of the property or of the adjoining areas prevents conformance with the Ordinance; and Grounds #3 is "Other Constraints" which is a finding that a federal, state, or local law or regulation prevents conformance with the Ordinance.

**BUDGET IMPACT:**

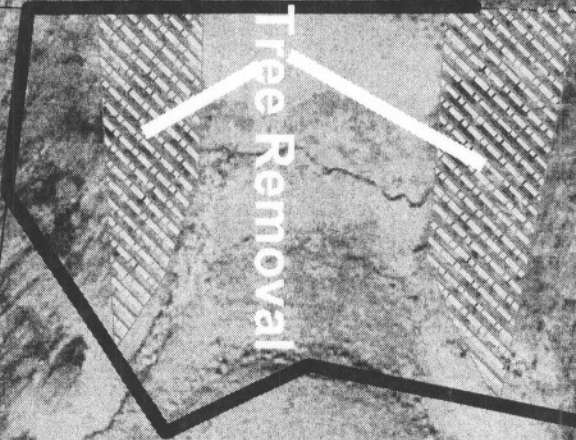
There will be no impact on the current or future budgets.

**RECOMMENDATION / ACTION REQUESTED:**

City Council needs to consider the Airport's minor watershed modification to cut down several large trees at the west end of the runway that interfere with take-offs and landings at its July 18, 2006 meeting. The TRC and Planning Board support this request.

Agenda Item: _____
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Areas of Tree Removal



YOUNCE, MOORE, & MOSELEY, L.L.P.

Attorneys and Counselors at Law  
333 North Greene Street  
Suite 404  
Greensboro, NC 27402

Charles P. Younce\*  
Larry I. Moore III  
William O. Moseley, Jr.

-----  
Of Counsel:  
H. Bruce Brandon

\*Certified Mediator

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Writer's Email:  
bbrandon@ymmlaw.com  
Writer's Telephone Extension: 19

May 30, 2006

VIA EMAIL AND HAND DELIVERY

Mr. Steve Galanti  
Landscape and Watershed Planner  
Department of Planning  
300 W. Washington Street  
Greensboro, NC 27402-3136

Dear Steve,

I represent Guilford Lakes Aviation, LLC (herein "Guilford Lakes") which is owned by Mr. Ron Murphy, a resident of Greensboro, NC. Guilford Lakes owns Air Harbor Airport (the Federal Aviation Administration [herein "FAA"] identifier is W88) which is located on Air Harbor Road, just north of the Greensboro City limits. As you are aware, Air Harbor Airport is located near Lake Townsend.

Air Harbor has been an airport since 1946 and since then has been a significant contributor to the economic activity of Greensboro in addition to providing many aviators an opportunity to learn to fly. The airport is open to the public. It has, and continues to be, a very important asset to the Greensboro/Guildford County community.

As you are aware, airplanes require clearways for takeoff and landings. Air Harbor has a runway that is 2400 feet long. This is adequate runway for the taking off and landing of aircraft weighing less than 12,500 pounds with approach speeds greater than 50 knots (the aircraft that normally takeoff and land at Air Harbor) if there are no obstacles in their flight path. Unfortunately, trees on property owned by The City of Greensboro (off the west end of Air Harbor Airport) have grown to a height that obstructs the takeoffs and landings and thus creates a hazard. Additionally, trees located on the Air Harbor Airport property itself have grown to a point that they also create a hazard to flight. Guilford Lakes is requesting that the trees owned by Greensboro growing off of the west end of the Air Harbor Airport that, create a hazard to takeoff and landing, be cut down and that Guilford Lakes be allowed to remove trees on the airport itself that create a hazard. I have attached a drawing by Mr. Robert Russell that indicates the height of some trees west of Air Harbor that interfere with the acceptable obstruction clearance for taking off

and landing.

The FAA has determined that the acceptable approach/departure requirements for an airport accommodating small airplanes flying visual approaches with approach speeds of 50 knots or more requires a slope of 20 to 1 without obstructions. See Table A2-1, AC 150/5300-13 CHG 9. Mr. Russell's drawing indicates generally where trees intrude into this airspace west of the airport.

As a reminder, the North Carolina Legislature has spoken clearly on this matter:

**§ 63-30. Airport hazards not in public interest.**

It is hereby found and declared that an airport hazard endangers the lives and property of users of the airport and of occupants of land in its vicinity, and also, if of the obstruction type, in effect reduces the size of the area available for the landing, taking off and maneuvering of aircraft, thus tending to destroy or impair the utility of the airport and the public investment therein, and is therefore not in the interest of the public health, public safety, or general welfare.

**§ 63-37.1. Airport obstructions illegal.**

Any person, other than the owner or operator of an airport, who intentionally obstructs the lawful takeoff and landing operations and patterns of aircraft at an existing public or private airport shall be guilty of a Class 1 misdemeanor.

**§ 63-47. Enforcement of regulations of Civil Aeronautics Administration.**

In the general public interest and safety, the safety of persons receiving instructions concerning or operating, using or traveling in aircraft, and of persons and property on the ground, and in the interest of aeronautical progress, the public officers of the State, counties and cities shall enforce the rules and regulations of the Civil Aeronautics Administration.

The criteria of the FAA is equally clear:

**14 CFR§ 77.1 Scope.**

This part:

(a) Establishes standards for determining obstructions in navigable airspace; ...

**14 CFR § 77.25 Civil airport imaginary surfaces.**



The following civil airport imaginary surfaces are established with relation to the airport and to each runway. The size of each such imaginary surface is based on the category of each runway according to the type of approach available or planned for that runway. The slope and dimensions of the approach surface applied to each end of a runway are determined by the most precise approach existing or planned for that runway end.

(a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:

(1) 5,000 feet for all runways designated as utility or visual;

(2) 10,000 feet for all other runways. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000 foot arc is encompassed by tangents connecting two adjacent 10,000 foot arcs, the 5,000 foot arc shall be disregarded on the construction of the perimeter of the horizontal surface.

(b) Conical surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

(c) Primary surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of a primary surface is:

(1) 250 feet for utility runways having only visual approaches. ... .

*[Please see 14 CFR Part 77 generally and Table A2-1, AC 150/5300-13 CHG 9,].*

The FAA uses form 5010 when having airports inspected. The web site for Air Harbor is [http://www.gcr1.com/5010Web/Rpt\\_5010.asp?au=PU&o=PR&faasite=16756.\\*A&fn=AFD04132006W88](http://www.gcr1.com/5010Web/Rpt_5010.asp?au=PU&o=PR&faasite=16756.*A&fn=AFD04132006W88) . The diagram for the airport is not on the web site but I acquired it from NCDOT and have attached it under the title of "Airharbor.pdf". This inspection was accomplished in September 2002.

The logic for requesting the removal of these trees is as follows:

1. It is the "right thing" to do. These trees are literally a threat to the safety of airmen and passengers using Air Harbor Airport, an airport that is open to the public and was created in 1946, before Lake Townsend was built. It is only a question of time until these trees will cause an accident that will result in death.
2. The law of North Carolina clearly requires the removal of obstacles such as these. The North Carolina Legislature has made it clear that hazards to aviation are antithetical to the public policy of this Great State and are illegal.
3. The removal of these trees will not affect the water quality of Lake Townsend. There is an abundance of vegetation that can be planted after the trees are cut that will do a better job of preventing erosion than the trees that are creating this hazard.

Steve, these trees need to be cut. Both of our needs can be met, protection of the watershed and improving aviation safety, by cutting the trees and planting replacement cover vegetation.

I will be happy to answer any question you have and look forward to working with you on this important issue.

Sincerely,

H. Bruce Brandon

Attachments:

Civil Airport Imaginary Images.pdf

FAA threshold siting requirments.pdf

Survey of the approach end of W88.tif

Airharbor.pdf



U.S. Department  
of Transportation

**Federal Aviation  
Administration**

# Advisory Circular

**Subject:** Change 9 to AIRPORT DESIGN

**Date:** 9/26/2005

**AC No:** 150/5300-13

**Initiated by:** AAS-100

**Change:** 9

**1. PURPOSE.** This Change contains revisions to Table 3-3 and Appendix 2. A requirement to increase the width of the Runway Safety Area at higher altitudes, deleted by Change 6, was inadvertently reinserted in Table 3-3 in Change 8. Appendix 2 includes new

standards for runway end siting requirements, including a new 40:1 departure surface.

**2. CHANGED TEXT.** Changed text is indicated by vertical bars in the margins.

## PAGE CONTROL CHART

Remove Pages	Dated	Insert Pages	Dated
25	9/30/04	25	9/30/04
26	9/30/04	26	9/26/2005
101 – 104	10/01/02	101 – 106	9/26/2005
105 – 106	9/29/89		

David L. Bennett  
Director, Airport Safety and Standards



**Table 3-2. Runway design standards for aircraft approach categories A & B runways with lower than 3/4-statute mile (1 200 m) approach visibility minimums**  
(Refer also to Appendix 16 for the establishment of new approaches)

ITEM	DIM <sup>1</sup>	AIRPLANE DESIGN GROUP				
		I <sup>2</sup>	I	II	III	IV
Runway Length	A	- Refer to paragraph 301 -				
Runway Width	B	75 ft 23 m	100 ft 30 m	100 ft 30 m	100 ft 30 m	150 ft 45 m
Runway Shoulder Width		10 ft 3 m	10 ft 3 m	10 ft 3 m	20 ft 6 m	25 ft 7.5 m
Runway Blast Pad Width		95 ft 29 m	120 ft 36 m	120 ft 36 m	140 ft 42 m	200 ft 60 m
Runway Blast Pad length		60 ft 18 m	100 ft 30 m	150 ft 45 m	200 ft 60 m	200 ft 60 m
Runway Safety Area Width	C	300 ft 90 m	300 ft 90 m	300 ft 90 m	400 ft 120 m	500 ft 150 m
Runway Safety Area Length Prior to Landing Threshold		600 ft 180 m	600 ft 180 m	600 ft 180 m	600 ft 180 m	600 ft 180 m
Runway Safety Area Length Beyond RW End <sup>3</sup>	P	600 ft 180 m	600 ft 180 m	600 ft 180 m	800 ft 240 m	1,000 ft 300 m
Obstacle Free Zone Width and length		- Refer to paragraph 306 -				
Runway Object Free Area Width	Q	800 ft 240 m	800 ft 240 m	800 ft 240 m	800 ft 240 m	800 ft 240 m
Runway Object Free Area Length Beyond RW End <sup>3</sup>	R	600 ft 180 m	600 ft 180 m	600 ft 180 m	800 ft 240 m	1,000 ft 300 m

1/ Letters correspond to the dimensions on figures 2-1 and 2-3.

2/ These dimensional standards pertain to facilities for small airplanes exclusively.

3/ The runway safety area and runway object free area lengths begin at each runway end when stopway is not provided. When stopway is provided, these lengths begin at the stopway end. The runway safety area length and the object free area length are the same for each runway end. Use the table (3-1 or 3-2) that results in the longest dimension. RSA length beyond the runway end standards may be met by provision of an Engineered Materials Arresting System or other FAA approved arresting system providing the ability to stop the critical aircraft using the runway exiting the end of the runway at 70 knots. See AC 150/5220-22.

**Table 3-3. Runway design standards for aircraft approach categories C & D**  
(Refer also to Appendix 16 for the establishment of new approaches)

ITEM	DIM <sup>1</sup>	AIRPLANE DESIGN GROUP					
		I	II	III	IV	V	VI
Runway Length	A	- Refer to paragraph 301 -					
Runway Width	B	100 ft 30 m	100 ft 30 m	100 ft 30 m	150 ft 45 m	150 ft 45 m	200 ft 60 m
Runway Shoulder Width <sup>3</sup>		10 ft 3 m	10 ft 3 m	20 ft 6 m	25 ft 7.5 m	35 ft 10.5 m	40 ft 12 m
Runway Blast Pad Width		120 ft 36 m	120 ft 36 m	140 ft 42 m	200 ft 60 m	220 ft 66 m	280 ft 84 m
Runway Blast Pad length		100 ft 30 m	150 ft 45 m	200 ft 60 m	200 ft 60 m	400 ft 120 m	400 ft 120 m
Runway Safety Area Width <sup>4</sup>	C	500 ft 150 m	500 ft 150 m	500 ft 150 m	500 ft 150 m	500 ft 150 m	500 ft 150 m
Runway Safety Area Length Prior to Landing Threshold		600 ft 180 m	600 ft 180 m	600 ft 180 m	600 ft 180 m	600 ft 180 m	600 ft 180 m
Runway Safety Area Length Beyond RW End <sup>5</sup>	P	1,000 ft 300 m	1,000 ft 300 m	1,000 ft 300 m	1,000 ft 300 m	1,000 ft 300 m	1,000 ft 300 m
Obstacle Free Zone Width and length		- Refer to paragraph 306 -					
Runway Object Free Area Width	Q	800 ft 240 m	800 ft 240 m	800 ft 240 m	800 ft 240 m	800 ft 240 m	800 ft 240 m
Runway Object Free Area Length Beyond RW End <sup>5</sup>	R	1000 ft 300 m	1000 ft 300 m	1000 ft 300 m	1000 ft 300 m	1,000 ft 300 m	1000 ft 300 m

1/ Letters correspond to the dimensions on figures 2-1 and 2-3.

2/ For Airplane Design Group III serving airplanes with maximum certificated takeoff weight greater than 150,000 pounds (68 100 kg), the standard runway width is 150 feet (45 m), the shoulder width is 25 feet (7.5 m), and the runway blast pad width is 200 feet (60 m).

3/ Design Groups V and VI normally require stabilized or paved shoulder surfaces.

4/ For Airport Reference Code C-I and C-II, a runway safety area width of 400 feet (120 m) is permissible.

5/ The runway safety area and runway object free area lengths begin at each runway end when stopway is not provided. When stopway is provided, these lengths begin at the stopway end. The runway safety area length and the object free area length are the same for each runway end. Use the table (3-1 or 3-2) that results in the longest dimension. RSA length beyond the runway end standards may be met by provision of an Engineered Materials Arresting System or other FAA approved arresting system providing the ability to stop the critical aircraft using the runway exiting the end of the runway at 70 knots. See AC 150/5220-22.

## Appendix 2. RUNWAY END SITING REQUIREMENTS

**1. PURPOSE.** This appendix contains guidance on siting thresholds to meet approach obstacle clearance requirements and departure obstacle clearance requirements.

**2. APPLICATION.**

a. The threshold should be located at the beginning of the full-strength runway pavement or runway surface. However, displacement of the threshold may be required when an object that obstructs the airspace required for landing and/or departing airplanes is beyond the airport owner's power to remove, relocate, or lower. Thresholds may also be displaced for environmental considerations, such as noise abatement, or to provide the standard RSA and ROFA lengths.

b. When a hazard to air navigation exists, the amount of displacement of the threshold or reduction of the TORA should be based on the operational requirements of the most demanding airplanes. The standards in this appendix minimize the loss of operational use of the established runway and reflect the FAA policy of maximum utilization and retention of existing paved areas on airports.

c. Displacement of a threshold reduces the length of runway available for landings. Depending on the reason for displacement of the threshold, the portion of the runway behind a displaced threshold may be available for takeoffs in either direction and landings from the opposite direction. Refer to Appendix 14, Declared Distances, for additional information.

d. Where specifically noted, the glide path angle (GPA) and Threshold Crossing Height (TCH) of a vertically guided approach (Instrument Landing System (ILS), Microwave Landing System (MLS), Global Navigation Satellite System Landing System (GLS), Localizer Performance with Vertical Guidance (LPV), Lateral Navigation/Vertical Navigation (LNAV/VNAV), required navigation performance (RNP), or Barometric Vertical Navigation (Baro VNAV)) may be altered (usually increased) rather than displacing the threshold. Alternatively, a combination of threshold displacement and altering of the Glidepath Angle/Threshold Crossing Height (GPA/TCH) may also be accomplished. Guidelines for maximum and minimum values of TCH and GPA are contained in FAA Order 8260.3, *United States Standard for Terminal Instrument Procedures (TERPS)*. The tradeoff between threshold displacement, TCH, and GPA is complex, but can be analyzed by applying formula contained in the order. Contact the appropriate FAA Airports Regional or District Office for assistance on the

specific requirements and effects of GPA and TCH changes.

e. The Glidepath Qualification Surface (GQS) extends from the runway threshold along the runway centerline extended to the departure altitude (DA) point. It limits the height of obstructions between DA and runway threshold (RWT). When obstructions exceed the height of the GQS, an approach procedure with positive vertical guidance (ILS, MLS, Transponder Landing System (TLS), GLS, VNAV, etc.) is not authorized. Further information can be found in the TERPS order, VOLUME 3.

**3. LIMITATIONS.**

a. These standards should not be interpreted as an FAA blanket endorsement of the alternative to displace or relocate a runway threshold. Threshold displacement or relocation should be undertaken only after a full evaluation reveals that displacement or relocation is the only practical alternative.

b. The standards in this appendix are not applicable for identifying objects affecting navigable airspace. See Title 14 Code of Federal Regulations Part 77, Objects Affecting Navigable Airspace.

**4. EVALUATION CONSIDERATIONS.**

a. **Possible Actions.** When a penetration to a surface defined in paragraph 5 exists, one or more of the following actions are required:

**(1) Approach Surfaces.**

(a) The object is removed or lowered to preclude penetration of applicable threshold siting surfaces;

(b) The threshold is displaced to preclude object penetration of applicable threshold siting surfaces, with a resulting shorter landing distance; or

(c) The GPA and/or TCH is/are modified, or a combination of threshold displacement and GPA/TCH increase is accomplished.

(d) Visibility minimums are raised.

(e) Night operations are prohibited unless the obstruction is lighted or an approved Visual Glide Slope Indicator (VGSI) is used.

**(2) Departure Surfaces.**

(a) The object is removed or lowered to preclude penetration of applicable siting surfaces;

(b) The Takeoff Distance Available (TODA) is decreased to preclude object penetration of applicable siting surfaces, with a resulting shorter takeoff distance (the Departure End of the Runway (DER) is coincident with the end of the TODA where a clearway is not in effect); or

(c) Instrument departure minimums are raised.

**b. Relevant Factors for Evaluation.**

(1) Types of airplanes that will use the runway and their performance characteristics.

(2) Operational disadvantages associated with accepting higher landing/ takeoff minimums.

(3) Cost of removing, relocating, or lowering the object.

(4) Effect of the reduced available landing/takeoff length when the runway is wet or icy.

(5) Cost of extending the runway if insufficient runway length would remain as a result of displacing the threshold. The environmental aspects of a runway extension need to also be evaluated under this consideration.

(6) Cost and feasibility of relocating visual and electronic approach aids, such as threshold lights, visual glide slope indicator, runway end identification lights, localizer, glide slope (to provide a threshold crossing height of not more than 60 feet (18 m)), approach lighting system, and runway markings.

(7) Effect of the threshold change on noise abatement.

**5. APPROACH CLEARANCE REQUIREMENTS FOR CONVENTIONAL NAVAIDS.**

The standard shape, dimensions, and slope of the surface used for locating a threshold are dependent upon the type of aircraft operations currently conducted or forecasted, the landing visibility minimums desired, and the types of instrumentation available or planned for that runway end.

**a. Instrument Approach Procedures Aligned with the Runway Centerline.** Table A2-1 and Figure A2-1 describe the minimum clearance surfaces required for

instrument approach procedures aligned with the runway centerline.

**b. Nonprecision Approach Procedures Not Aligned with the Runway Centerline.** To accommodate for offset procedures, increase the lateral width at threshold by multiplying the width specified in the appropriate paragraph by 2 (offset side only). The outside offset boundary splays from this point at an angle equal to the amount of angular divergence between the final approach course and runway centerline + 10 degrees. Extend the outside offset boundary out to the distance specified in the applicable paragraph and connect it to runway centerline with an arc of the same radius. On the side opposite the offset, construct the area aligned with runway centerline as indicated (non-offset side only). The surface slope is as specified in the applicable paragraph, according to Table A2-1.

**c. Locating or Determining the DER.** The standard shape, dimensions, and slope of the departure surface used for determining the DER, as defined in TERPS, is only dependent upon whether or not instrument departures are being used or planned for that runway end. See Table A2-1 and Figures A2-1 and A2-2 for dimensions.

Subparagraph 5c(2) applies only to runways supporting Air Carrier departures and is not to be considered a clearance surface.

**(1) For Departure End of Runways Supporting All Instrument Operations.**

(a) No object should penetrate a surface that starts at the DER. The surface starts at the elevation of the runway at the DER and slopes upward at a slope 40 (horizontal) to 1 (vertical). Penetrations by existing obstacles of 35 feet or less would not require TODA reduction or other mitigations found in paragraph 4; however, they may affect new or existing departure procedures.

**(2) Departure Runway Ends Supporting Air Carrier Operations.**

(a) Objects should be identified that penetrate a one-engine inoperative (OEI) obstacle identification surface (OIS) starting at the DER and at the elevation of the runway at that point, and slopes upward at a slope 62.5 (horizontal) to 1 (vertical). See figure A2-4.

**Note:** This surface is for provided for information only and does not take effect until January 1, 2008.

**Table A2-1. Approach/Departure Requirements Table**

Table A2-1. Approach/Departure Requirements Table							
	Runway Type	DIMENSIONAL STANDARDS*					Slope
		Feet					
		A	B	C	D	E	
1	Approach end of runways expected to serve small airplanes with approach speeds less than 50 knots. (Visual runways only, day/night)	0	60	150	500	2,500	15:1
2	Approach end of runways expected to serve small airplanes with approach speeds of 50 knots or more. (Visual runways only, day/night)	0	125	350	2,250	2,750	20:1
3	Approach end of runways expected to serve large airplanes (Visual day/night); or instrument minimums ≥ 1 statute mile (day only).	0	200	500	1,500	8,500	20:1
4	Approach end of runways expected to support instrument night circling. <sup>1</sup>	200	200	1,700	10,000	0	20:1
5	Approach end of runways expected to support instrument straight in night operations, serving approach category A and B aircraft only. <sup>1</sup>	200	200	1,900	10,000 <sup>2</sup>	0	20:1
6	Approach end of runways expected to support instrument straight in night operations serving greater than approach category B aircraft. <sup>1</sup>	200	400	1,900	10,000 <sup>2</sup>	0	20:1
7	Approach end of runways expected to accommodate instrument approaches having visibility minimums ≥ 3/4 but < 1 statute mile, day or night.	200	400	1,900	10,000 <sup>2</sup>	0	20:1
8	Approach end of runways expected to accommodate instrument approaches having visibility minimums < 3/4 statute mile or precision approach (ILS, GLS, or MLS), day or night.	200	400	1,900	10,000 <sup>2</sup>	0	34:1
9	Approach runway ends having Category II approach minimums or greater.	The criteria are set forth in TERPS, Order 8260.3.					
10	Departure runway ends for all instrument operations	0 <sup>5</sup>	See Figure A2-3				40:1 <sup>3</sup>
11	Departure runway ends supporting Air Carrier operations. <sup>4</sup>	0 <sup>5</sup>	See Figure A2-4				62.5:1

\* The letters are keyed to those shown in figure A2-1.

Notes:

1. Lighting of obstacle penetrations to this surface or the use of a VGSI, as defined by the TERPS order, may avoid displacing the threshold.
2. 10,000 feet is a nominal value for planning purposes. The actual length of these areas is dependent upon the visual descent point position of the instrument approach procedure.
3.  $\leq 35$ -foot obstacles are permitted through the surface without requiring actions found in paragraph 4; however, they could have an impact on departure visibilities or departure procedures.
4. Information concerning penetrations to this surface is provided for information only and does not take effect until January 1, 2008.
5. Dimension A is measured from the departure end of the TODA as determined by the DER or clearway.

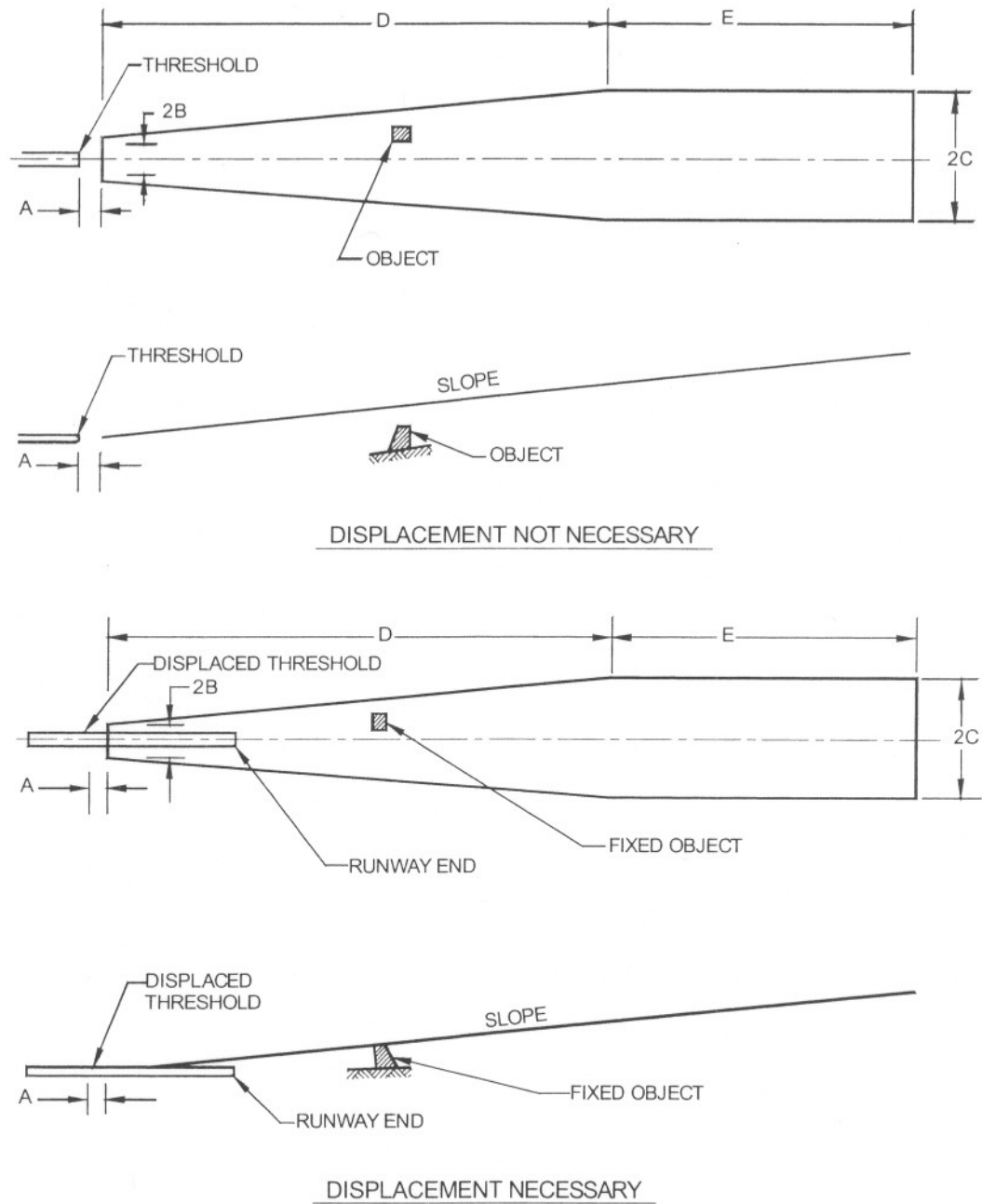


Figure A2-1. Approach slopes

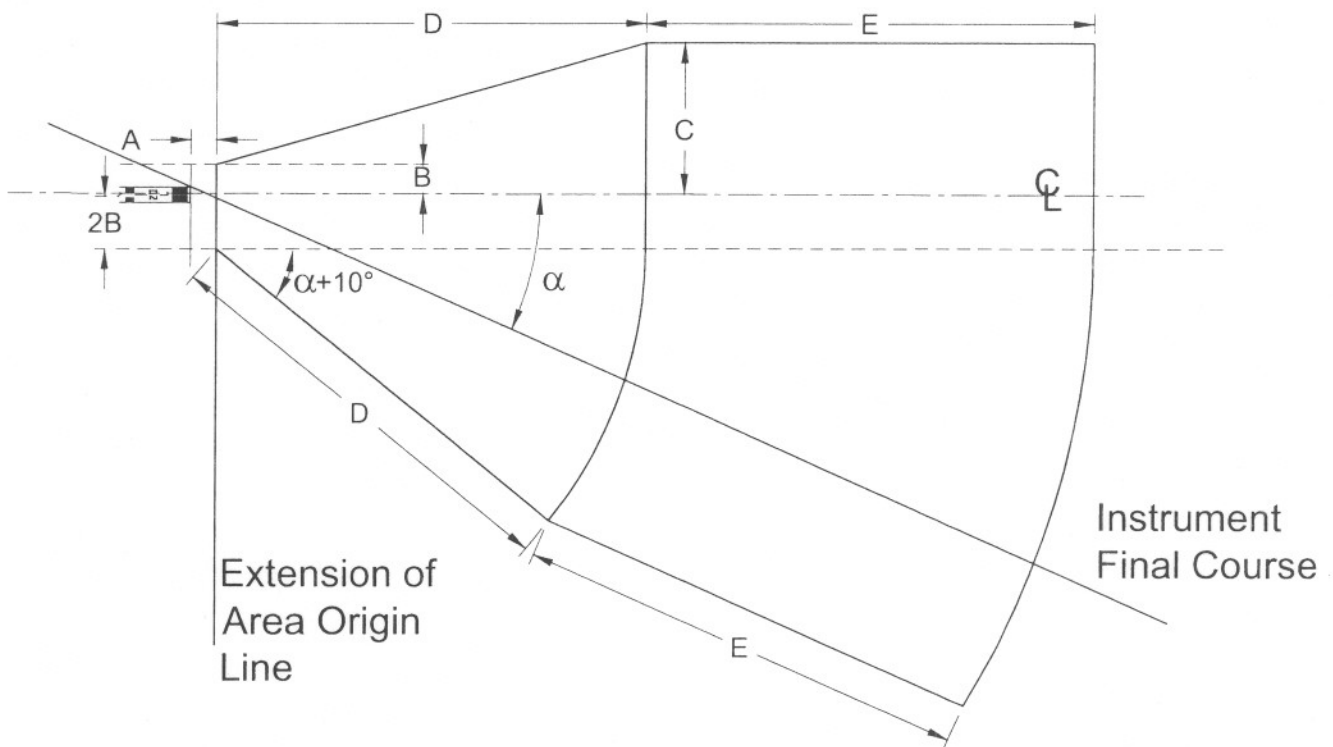


Figure A2-2. Approach Slopes—With Offset Approach Course



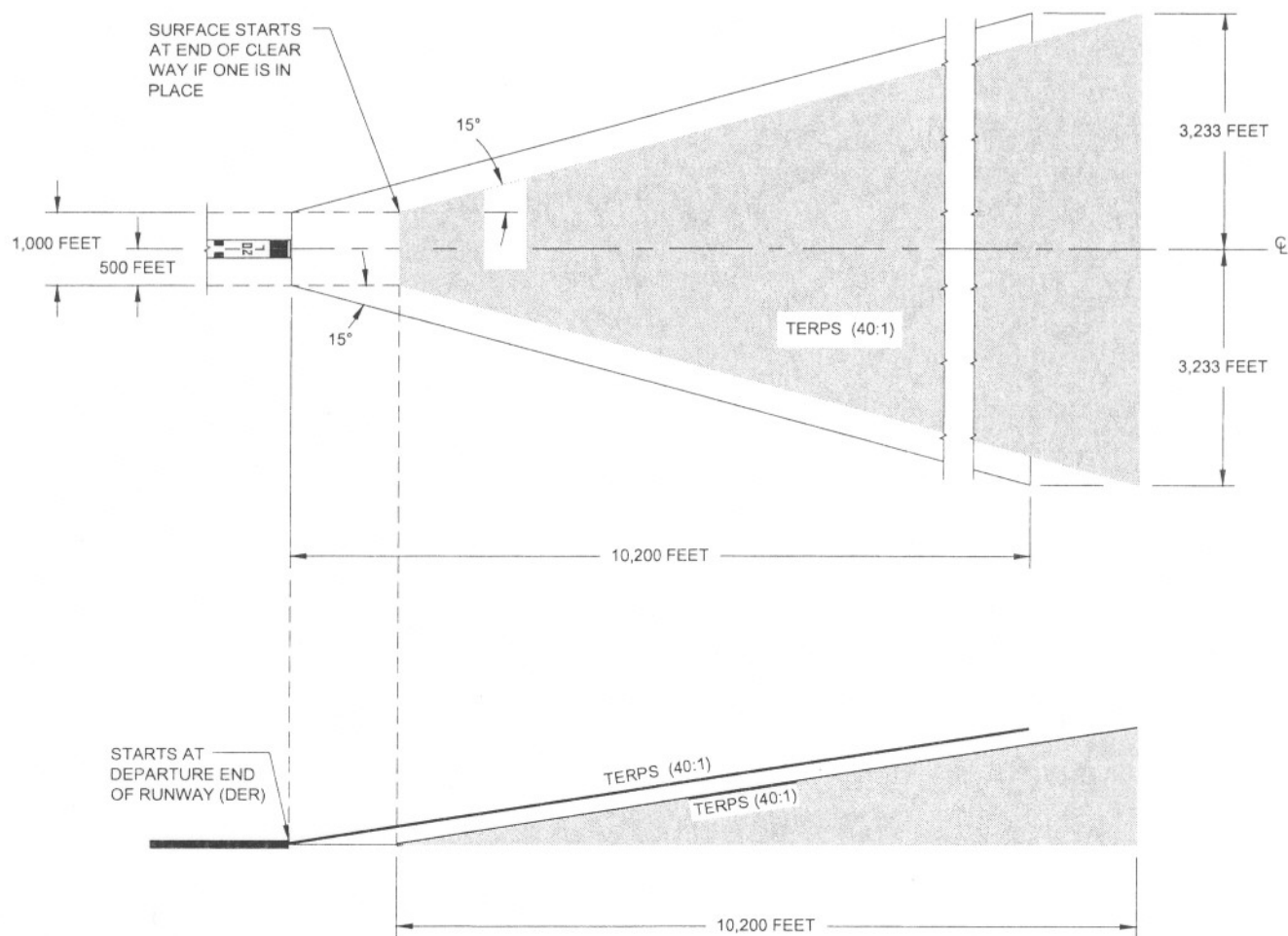


Figure A2-3. Departure surface for Instrument Runways TERPS (40:1)

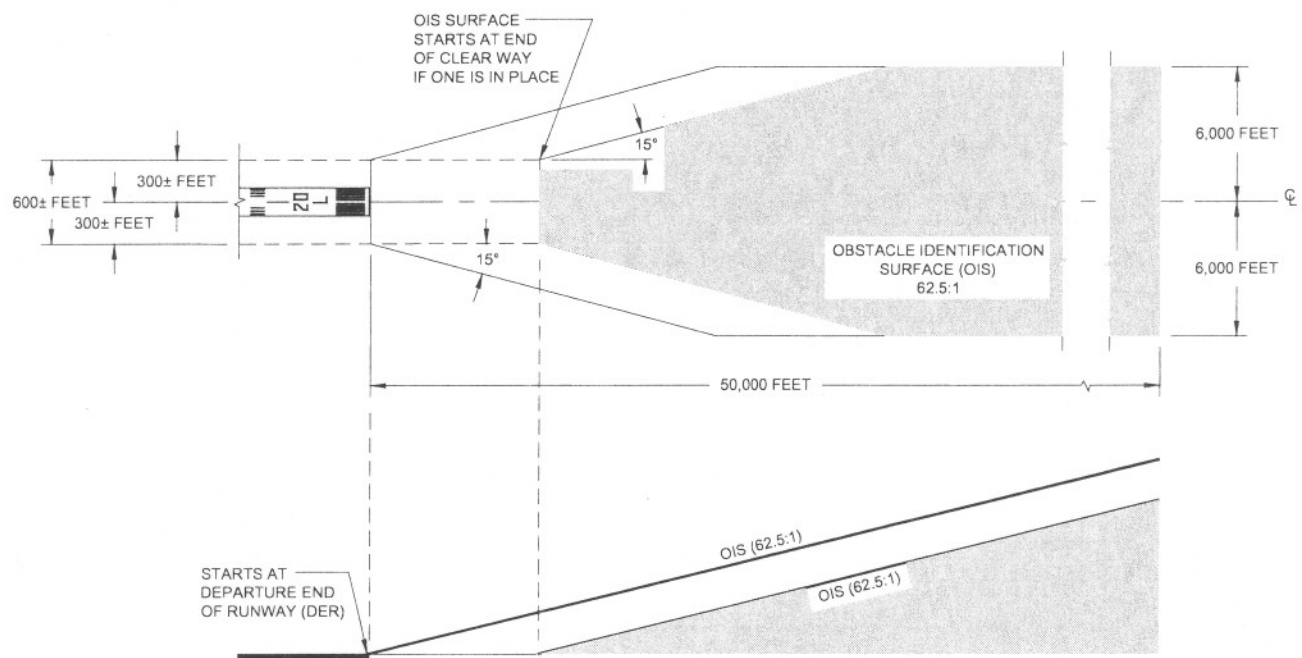
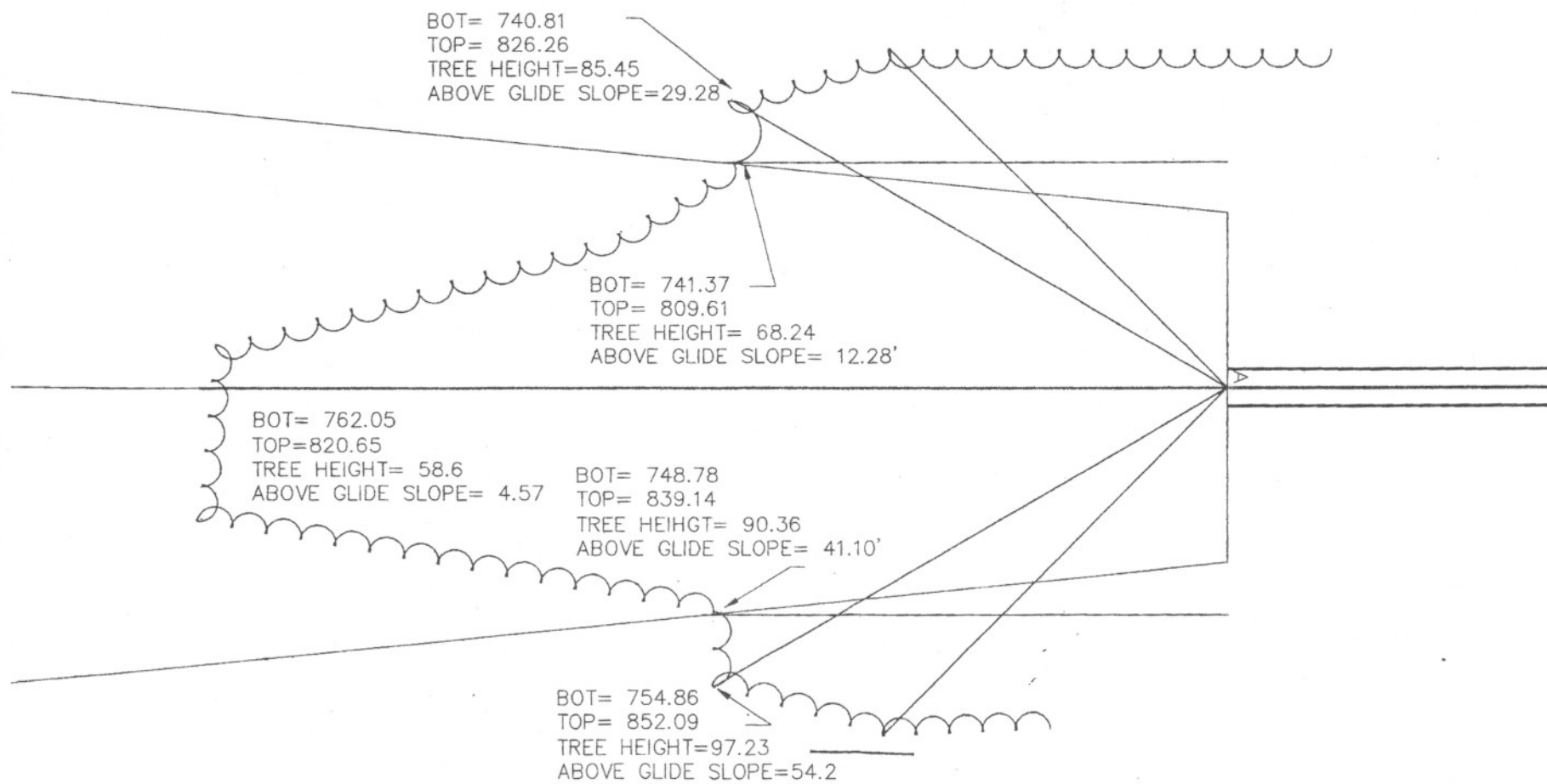


Figure A2-4. One-Engine Inoperative (OEI) Obstacle Identification Surface (62.5:1)



**MINUTES OF REGULAR MEETING  
OF  
GREENSBORO PLANNING BOARD  
June 21, 2006**

The Greensboro Planning Board met in regular session on Wednesday, June 21, 2006 at 2:00 p.m., in the City Council Chambers, 2<sup>nd</sup> floor, Melvin Municipal Office Building. Board members present were Tim Bryson, Chair Dick Hall, Julius Koonce, Stephen Marks, Joel Landau, and John Rhodes. Planning staff members present were Dick Hails, Planning Director, Alec MacIntosh, Steve Galanti, Jimmy Person, Ben Woody, and Ricky Hurley.

**MODIFICATION REQUESTS:**

**3. REQUEST FOR A MINOR WATERSHED MODIFICATION TO SECTION 30-7-3.1(B) (1) TO ALLOW THE REMOVAL OF EXISTING TREES ON CITY PROPERTY THAT CREATE A HAZARD FOR TAKEOFFS AND LANDINGS AT THE AIR HARBOR AIRPORT. (RECOMMEND APPROVAL)**

Steve Galanti stated that this request for a minor watershed modification to Section 30-7-3.1(B) (1) to allow the removal of existing trees on City property that create a hazard for takeoffs and landings at the Air Harbor Airport. The FAA has determined that the acceptable approach/departure requirements for an airport accommodating small airplanes flying visual approaches with approach speeds of 50 knots or more requires a slope of 20 to 1 without obstructions. The trees proposed to be cut down intrude into this airspace west of the airport. Section 30-7-3.1(B)(1)b) of the Development Ordinance states that Tier 1 of the Watershed Critical Area is intended for public purpose and should remain undisturbed. Section 30-9-11.5 (A) 2) states that for watershed modifications within the Watershed Critical Area (WCA) the Technical Review Committee shall conduct a technical evaluation and report its findings to the Planning Board. The Planning Board shall make a recommendation to the City Council, which shall approve or deny the modification request. The Development Ordinance provides three possible grounds for approval of a modification: Equal or Better Performance: A finding that equal or better performance in furtherance of the purposes of the Ordinance will result from the alternate standards portrayed on the plan. Physical Constraints: A finding that the size, topography, or existing development of the property or of the adjoining areas prevents conformance with the Ordinance. Other Constraints: A finding that a federal, state, or local law or regulation prevents conformance. After reviewing the request on June 20, 2006, the TRC recommended approval of the modification to allow the airport to cut down and maintain the tree growth (in the area specified on the site plans) in the future with the following conditions: 1) Any trees that are cut will be cut such that the stump remaining is at least 3-4 feet high. 2) The trees will remain where they are felled, except any tree that falls across or onto the existing City trail is to be removed from the trail. 3) The trees are to be cut down by using only hand-held equipment. 4) Appropriate reforestation, in accordance with Section 30-5-4.7(C) of the Greensboro Development Ordinance, is required somewhere in the vicinity of the airport. (One possible area is in the northwest quadrant of the airport.) The plant species and size shall be in accordance with Section 30-5-4.7(C) (1) (a) of the ordinance. One tree will be required for every 200 square feet of disturbance/cutting. This recommendation (with the conditions) was made based on the finding of "Other Constraints." The TRC has found that the FAA rule for a clear approach zone prevents compliance with the City's regulations.

The Board voted 6-0 in favor of the motion.

## DISBURSEMENTS MADE BY THE CITY TREASURER

20-Jun-06

The following report covering voucher numbers 149074 through 150550 in the amount of \$15,214,696.44 is submitted for your information

### Vouchers issued against approved contracts for service & construction projects

Haden-Stanziale - Summit Avenue corridor study	\$ 34,578.95
Wilbur Smith & Assoc. - professional services for Youngs Mill Road project	16,131.23
Gamewell Engineering - replacement of air handler # 3 at MMOB	10,818.00
Hamlett Assoc. - smoke tower renovations at Church Street public safety facility	38,610.12
SCS Field Services - professional services for closed LCID gas system at Landfill	119,865.04
Withers & Ravenel - professional services for Greensboro sewer GPS	12,910.15
Avid Solutions - professional services for methane system at Landfill	13,241.81
Hamlett Assoc. - general contractor for Fire Station # 2	131,094.90
Hamlett Assoc. - general contractor for Fire Station # 21	134,506.80
HDR Engineering - construction design for solid waste transfer station	22,294.75
Jewell Engineering Consultants - professional services for New Garden Road culvert permitting & stream relocation	13,383.89
Kimley-Horn & Assoc. - professional services for East Market Street project	15,701.41
Larco Construction - Lake Jeanette round-a-bout construction	93,954.95
Woolpert LLP - design services for Barber Park community center, playground & playground project	89,208.75
Camp, Dresser & McKee - water reclamation facilities nutrient removal	60,150.00
TA Loving Co. - general contractor for N. Buffalo transfer station project	360,486.13
McKim & Creed - professional services for storm water GIS project	22,105.63
US Department of Interior - expenses for hydrologic data collection network	29,075.00
Access Elevator Systems - install platform lift at Coliseum	17,855.00
Datastream - implementation of datastream software	12,312.55
HDR Engineering - construction design for solid waste transfer station & reissuance of the disposal RFP	37,876.74
S&ME, Inc. - semi-annual monitoring services for Landfill	12,081.60
Trone Public Relations - administrative planning services for JTPA	30,000.00
Clear View Strategies - marketing services for Transportation Dept.	21,042.27
Haden-Stanziale - Summit Avenue corridor study	14,489.63

Nancy Parks Hunter - preparation of 2006 continuum of care application	\$ 15,850.00
Amick Equipment - side loading refuse truck	181,735.80
Murray Enterprises - installation of traffic loop detectors	21,582.80
Potter Oil - bio diesel fuel	16,578.15
Right Touch Interiors - installation of carpet at Patton Ave.	22,136.06
Greensboro Youth Soccer Assoc. - spring soccer season referees & assigning fees	21,683.00
Guilford County Dept. of Social Services - child care services for WIA program	19,573.95
Moses Cone Memorial Hospital - physicals for Haz Mat & Fire Dept. personnel	16,937.00
Amick Equipment - side loading refuse truck	733,598.45
Industrial Power - pump for North Buffalo Plant	10,524.75
James River Equipment - repair of equipment # 972295 for Landfill	11,985.49
Kyle's Friendly Service - unleaded & diesel fuel	43,296.51
National Waterworks - water pipe	14,283.22
Potter Oil - bio diesel fuel	34,039.95
Smith Turf - fairway mower	37,557.00

#### **Vouchers issued against budget for payroll & fringe benefits**

Standard Insurance Co. - life insurance premiums	75,952.23
Wachovia - gross Coliseum payroll expense for period ended 05/28/06	12,108.16
Wachovia - gross payroll expense for payroll ended 05/31/06 - longevity	44,154.00
Wachovia - gross Coliseum payroll expense for period ended 06/04/06	22,667.49
Wachovia - gross payroll expense for payroll ended 06/15/06	5,418,504.15
Internal Revenue Service - FICA expense for payroll ended 06/15/06	266,214.18
NC Local Governmental Employees Retirement System - pension expense for payroll ended 06/15/06	303,833.56
United Health Care - medical insurance premium for June	173,254.00
City of Greensboro - dental insurance premium for June	23,147.00
KRMS Workers Compensation Trust Account - quarterly administrative fees	18,000.00
Wachovia - gross Coliseum payroll expense for period ended 06/11/06	17,611.73

#### **Vouchers issued against approved resolutions & real estate purchases**

Clerk of Superior Court - condemnation settlement for Kenneth & Joan Rudd for Summit Avenue sewer outfall project	28,915.00
William V. Hammond III - purchase of fee simple, right of way & easements for New Garden Road widening project	22,005.00

**Vouchers issued against budget authorization not under contract**

Duke Power Co. - utilities	\$ 56,450.95
Bell South - phone services	10,642.00
Duke Power Co. - utilities	73,514.17
Nextel Communications - phone services	10,248.37
City of Reidsville - water rate increase	155,609.56
City of Greensboro - water & sewer utilities	70,048.77
Duke Energy - utilities	43,630.18
Duke Energy - utilities	20,139.93
Duke Energy - utilities	259,225.16
Guilford County Board of Education - utility expenses for Grimsley Pool	36,232.00

<b>Page Totals</b>	<b>\$ 13,424,788.99</b>
<b>Vouchers less than \$10,000.00</b>	<b>1,789,907.45</b>
<b>Total Issued</b>	<b><u>15,214,696.44</u></b>